

DOMESTIC VIOLENCE: THE STRUGGLE FOR SURVIVAL

HEARING
BEFORE A
SUBCOMMITTEE OF THE
COMMITTEE ON APPROPRIATIONS
UNITED STATES SENATE
ONE HUNDRED SECOND CONGRESS
FIRST SESSION
—
SPECIAL HEARING
—

Printed for the use of the Committee on Appropriations



U.S. GOVERNMENT PRINTING OFFICE

41-778

WASHINGTON : 1991

For sale by the Superintendent of Documents, Congressional Sales Office
U.S. Government Printing Office, Washington, DC 20402

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DOMESTIC VIOLENCE: THE STRUGGLE FOR SURVIVAL

TUESDAY, FEBRUARY 12, 1991

U.S. SENATE,
SUBCOMMITTEE ON LABOR, HEALTH AND HUMAN
SERVICES, AND EDUCATION, AND RELATED AGENCIES,
COMMITTEE ON APPROPRIATIONS,
Las Vegas, NV.

The subcommittee met at 9 a.m., in the east board room, Thomas & Mack Building, Hon. Harry Reid presiding.
Present: Senator Reid.

NONDEPARTMENTAL WITNESSES

STATEMENTS OF:

ELLEN BUCKLEY, COUNSELOR, DOMESTIC VIOLENCE CENTER
TERRANCE MARREN, DOMESTIC COURT REFEREE
ROBERT GASTON, ATTORNEY
JO ANN ANGERSON, METROPOLITAN POLICE CIVILIAN INVESTIGATOR

OPENING REMARKS OF SENATOR REID

Senator REID. Attention. We will call to order this Senate Appropriations Committee meeting. This hearing is being held under the auspices of the Labor, Health and Human Services Appropriations Subcommittee and Chairman Robert C. Byrd's permission.

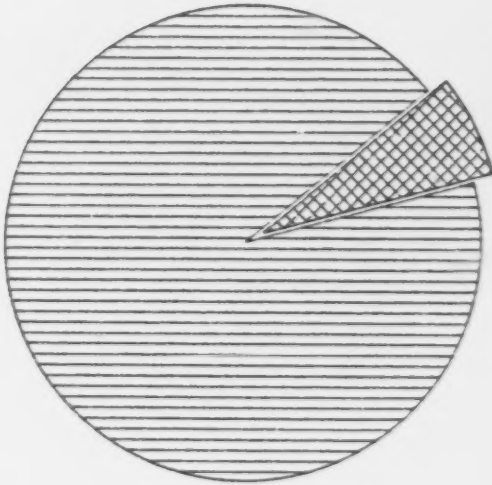
I appreciate everyone being here. I made a number of discoveries recently which have been alarming. The latest was yesterday, when we determined that the Los Vegas Metropolitan Police Department, which does not have jurisdiction over all of Clark County received over 22,000 calls last year from women who had been beaten.

Another discovery that I made recently also touched me. I was shocked when I learned—and surprised—that a member of my staff was for many years a victim of domestic violence. She was abused by her husband, who, I might add, was a prominent member of the community. I am glad to say that this woman can no longer be called a victim. Today she is a survivor.

We all know victims of domestic violence. We may not know who they are. They could be our friends, coworkers, family, and they could very well be alone in their pain, you see, because every 6 minutes in the United States a woman is raped. Every 18 seconds in the United States a woman is battered. This adds up to 200 women battered every hour.

During this hearing, which will take approximately 2½ or 3 hours, there will have been 600 women battered. This is almost 5,000 women every day, every year, you see, because batterers do not take vacations. They do not take weekends off.

3.5 Million Battered Women Each Year



**250,000 Spaces
Available
in Shelters**

Center for Women Policy Studies

SHELTERS

There are more dog shelters in the United States than there are shelters for battered women. If these violent crimes—and that is what they are—were being committed against men, something, I think, would have been done a long time ago, because, as you know, our legislators are mostly male.

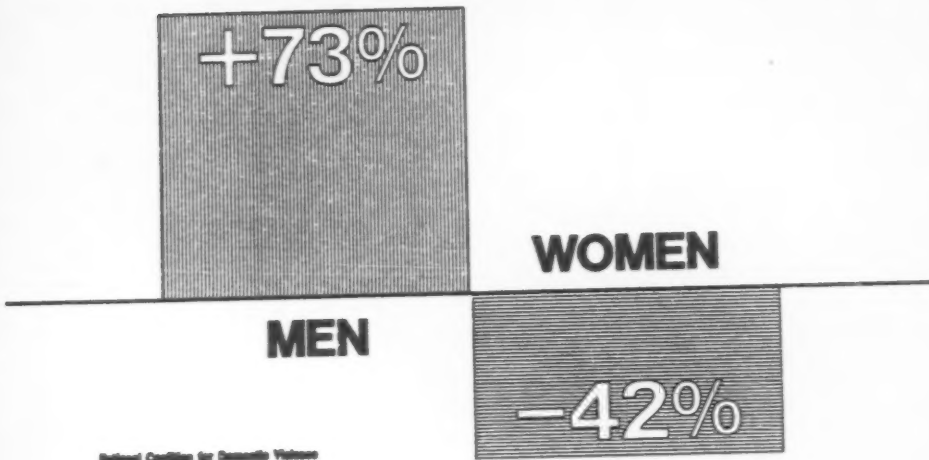
As an example, in the House of Representatives, I think we have, at last count, 23 women out of the 435 who are legislators on the national level on the House side. In the Senate, we have 2 out of 100 that are women.

So, in short, if we do not do something about these violent crimes, it is going to get a lot worse before it gets better. In Washington, the response so far has been really one of neglect and indifference.

When President Bush delivered his State of the Union Address last month, there was not a single word said about problems related to women. It was glaring in its absence of anything that related to issues dealing with what problems that relate to the health of women—serious problems that relate to the health of women—and certainly not one word about domestic violence or in fact any of the major problems that confront women in this country.

So, this hearing today is the first step to stop the violence and reverse the neglect. The information that we gather here will be taken to Washington.

Change in Standard of Living After Separation

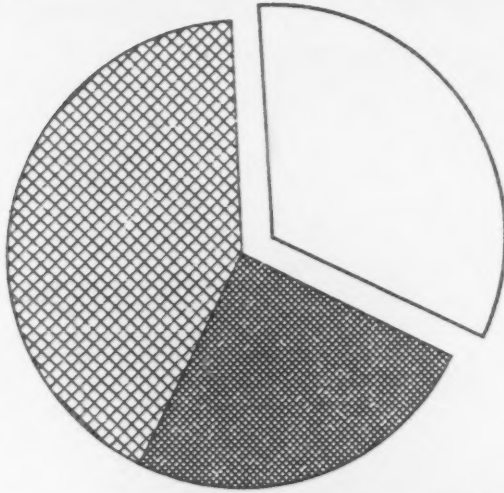


I know of a Nevada woman who was brutally abused over a period of several years by her husband; 6 months after she left this abusive man, she filed divorce papers. I might add, she did this against the advice of her counselor. The counselor, knowing the volatile nature of the man, wanted to avoid antagonizing him while his wife was in the same town. She wanted to give the woman the opportunity to leave town in order to protect herself from her husband.

But the woman filed her divorce papers anyway. It was within her rights to do this. But, this action sparked the most violent behavior anyone had ever seen of her husband. This woman's husband shot her—shot her right in front of their child. Fortunately, and even miraculously, this woman survived, and her husband was sent to prison, but that is not the end of this sad story.

Because her husband did not kill her, he was charged only with attempted murder. Because he was charged only with attempted murder, he will be released from prison in a short period of time. I ask, how will this woman protect herself when the man is released from prison? How far must she run and for how long must she run?

2/3 of All Married Women are Battered at Least Once,



1/4 of All Married Women are Battered Severely

Center for Women Policy Studies

Domestic violence is a misery which does not discriminate. It knows no bounds of income, class, race, or religion. According to the Center for Policy Women's Studies, violence against a woman will occur at least once in two-thirds of all marriages; 25 percent of all wives are severely beaten during their marriages. More than 1 million abused women seek medical treatment every year, and, of course, many do not; 20 percent of visits to emergency rooms by women are prompted by battering.

There are over 500 shelters in the United States that offer emergency refuge and services to battered women and their children. The tragic fact is that these shelters cannot begin to meet the needs of millions of women and children that every year must turn to them for assistance.

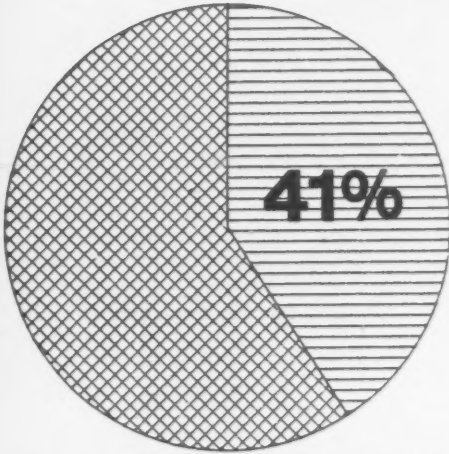
I visited one of these shelters, the shelter here in Clark County yesterday. These shelters perform an invaluable service, in spite of the extremely limited resources with which they are forced to work. Recent Federal cutbacks, however, have made even tougher the difficult tasks our shelters perform.

Some 76 percent of domestic violence programs have been forced to reduce their services to their communities due to these cutbacks. I know we all agree that domestic violence programs are the wrong place to make funding cuts. It is the wrong place, because it is not a money-saving gesture. In the long run, it costs us more money.

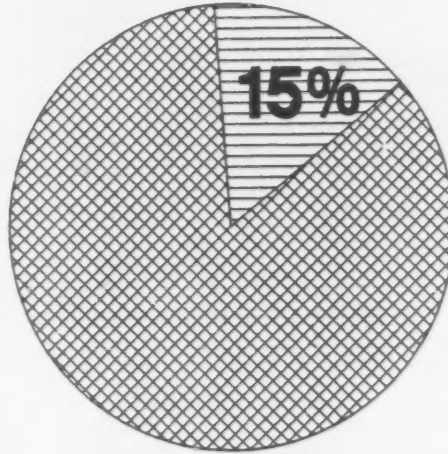
Violence in our homes is different from other types of violence. Because of this, domestic violence is treated differently than other crimes. Domestic violence is seen by many as a private matter between couples, one in which outsiders hesitate to become involved.

All of us here today are working to prove that domestic violence is not a private matter. It is a community and national problem in which we all have a stake.

CALLING POLICE DOES HELP



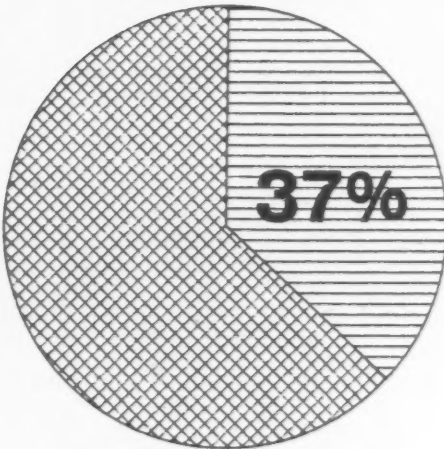
**41% of Women Who Remain
Silent are Re-assaulted**



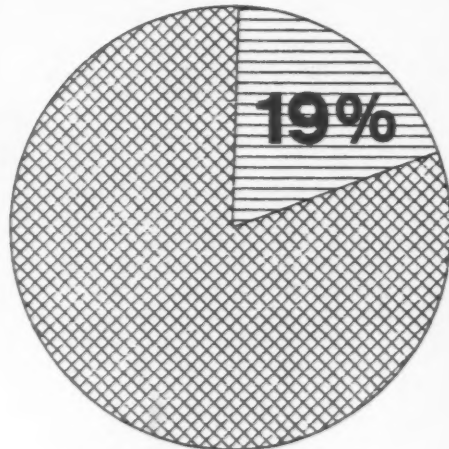
**85% of Women
Who DO CALL for Help
Are Not Re-assaulted**

U.S. Dept. of Justice Crime & Justice Facts 1986

ARRESTS DETER BATTERING



**Repeat Offenders
Within 6 Months of
Police Advising**



**Repeat Offenders
Within 6 Months
After Arrest**

U.S. Dept. of Justice Crime & Justice Facts 1996

According to the Justice Department in Washington, reaching out for help does make a difference; 41 percent of women who do not call police when they are battered can count on being battered again. If a battered woman does call one of the law enforcement agencies, the chances she will be battered again is only 15 percent.

Women are helped when the men who beat them are arrested. If the police only talk to a wife-beater instead of arresting him, that man will go back and eventually beat again, but those who are arrested often learn a lesson. Only 19 percent are likely to batter again that are arrested. So, I think it is important that we focus and recognize that, and, hopefully, do something to have a figure not be 19 percent but zero percent.

According to a former spouse abuser who speaks at domestic violence policy training seminars, getting arrested was the jolt he needed to change his life. And I quote, "I know how the police respond now, and so does my wife. And I do not want to go to jail."

The incidence of violence in our homes is and continues to be a crisis of national dimension. This threat to our families and nation demands a disciplined, coordinated response by Federal, State, and local governments. I am just amazed to tell you that there is only one statute on the books at the Federal level which relates to domestic violence. It is an important one. It provides grant moneys to women's shelters.

But, this one law is not enough. I am going to support legislation at the national level known as the Violence Against Women Act.

This bill does three things: one, it makes life outside the home safer for women; two, it makes life inside the home safer; and,

three, it protects women's rights by making sex crimes a violation of Federal civil rights.

Today, we will discuss other possible solutions to a problem which is tearing apart our families, day after day, year after year. We have three panels today: the legal system and the courts; resources and services available; and prevention and education, all as it relates to domestic violence.

STATEMENT OF ELLEN BUCKLEY

What we ask of the witnesses is to give your statement. We will thereafter ask questions, and we will do that after each panelist has testified. We would ask to proceed first with Ellen Buckley, who will give a composite of various survivors. I think we used to call survivors victims, did we not?

Ms. BUCKLEY. We did. And actually, I am giving testimony—

Senator REID. You have to pull the mike closer, because people are having trouble hearing. I can see that already.

Ms. BUCKLEY. Can you hear better now? Can you hear now?

Senator REID. This testimony that is being taken will be taken down by the official reporter. It will be transcribed and made official record of the Senate Appropriations Committee.

Ms. BUCKLEY. Is it on now?

Senator REID. Have you found one that works yet?

Ms. BUCKLEY. No.

Mr. GASTON. Why don't we give you our statements, and you can read it? You do it so well.

Ms. BUCKLEY. Actually, I am discussing the police response to domestic violence in Clark County.

My name is Ellen Buckley, and I am a crisis counselor at the Domestic Crisis Shelter. Domestic violence is a crime in the State of Nevada. The State legislature has passed excellent laws regarding domestic violence. One of the major problems facing battered women is that the police often do not enforce those laws and still treat violence in the home as acceptable behavior, or worse, as a joke.

The problems battered women face when dealing with the police occur in all three departments in Clark County. These include Las Vegas Metropolitan Police, North Las Vegas and Henderson Police. While the problems I will be discussing are widespread, some officers do follow the law, perform their jobs conscientiously, and are very compassionate when dealing with victims.

In 1989, the legislature addressed two areas of concern involving police response to domestic violence. The mandatory arrest law was amended to correct the problem of police officers arresting victims as well as perpetrators.

When both people have injuries, the police are supposed to consider who has the more severe injury, whether one person acted in self-defense, prior domestic violence involving either person, and the potential for future injury. According to the hundreds of victims who call us each month, the amended law is not being followed.

Many women are told by 911 operators that, if the police come out, both parties will be arrested, and the children will be taken to

Child Haven. Women are also told by police who have responded to their homes that both have to be arrested. One woman had two black eyes and a concussion. Her husband had scratches on his face, yet, both were arrested.

This is not an isolated incident. Women are routinely being arrested for defending themselves or threatened with arrest. A North Las Vegas Police Department officer told a woman, "The law is we have to take both of you to jail for domestic violence. You should make up and go home," even though the victim told the officer they did not live together anymore. The same officer said, "The reason we have to take both people to jail is because it cuts down on women calling the police for nothing."

The result of this unwritten policy is that abusers have learned to scratch themselves to avoid arrest and that women are now afraid to call the police. Imagine how helpless a battered woman must feel when she is told her children will be taken from their home and she will be thrown in jail if the police arrest her or views her for beating her up. Would you call the police again for assistance?

The second law addressed by the legislature requires police officers to give a card to victims which explains how to file charges against the batterer; if an arrest cannot be made right away, how to get a protective order; and gives the phone number of local domestic violence programs. The officer is supposed to write his name on the card.

Many victims do not receive a card, or, if they do, the officer has not put his or her name on it. Victims who do not receive a card are often given no information about their right to press charges, so they assume, if an arrest is not made immediately, they have no further recourse. Police often give incorrect information about protective orders, such as, you need a lawyer to obtain one or that they cost hundreds of dollars.

Battered women sometimes stay with their abusers because they have nowhere else to go. The shelter phone number on the card may be the only way they have of discovering they have options. If every victim of domestic violence was given a card, as the law requires, the number of calls the police receive would drop.

In addition to the problem areas I have discussed, we have heard from many women who have said that the police would not arrest the abuser even though she had obvious marks or was bleeding. In some of these cases, the police told the abuser to leave, rather than arresting him, or even drove him elsewhere, leaving the abuser free to come back and repeat the violence.

One caller whose abuser is a metro police officer was told by the officer who responded to her home, "Your husband and I are on good terms, and you're on his turf." The victim had a black eye, bruises on her forehead, her forearm, and her thigh, yet, the officer refused to take a report. She requested a ride to the police station and was told, "I am not taking you anywhere, toots."

Callers say they have been laughed at by the police, been told they should learn to shut their mouth so they will not get hit, and had officers refuse to give their badge number. Women are misinformed by officers who incorrectly say that, because they did not

witness the abuse, they cannot make an arrest, or, since the victim is married, there is nothing they can do.

National statistics show that 95 percent of domestic violence is committed by men against women, yet, metro's arrests for 1989 are 23 percent female.

When a stranger assaults someone, the victim is made to feel that they somehow provoked the attack or are at fault. The message victims of domestic violence get from police who do not enforce the laws is that the abuse is their fault and that they have nowhere to turn for help in stopping the violence.

Police attitudes toward and the handling of rape cases has improved dramatically in the past 10 years. Laws are meaningless if they are not enforced, and that same attitude change must occur in the police with regards to domestic violence. Lives are at stake.

Thank you.

Senator REID. Thank you very much.

STATEMENT OF TERRANCE MARREN

Judge Marren.

Judge MARREN. My name is Terrance P. (Terry) Marren, and I am a domestic relations referee—in fact, a senior domestic relations referee for Clark County, NV. I have served in this capacity since January 1986.

And my job has been to see families prior to the divorce decree being entered and anytime thereafter on modification, and I have certainly seen the increase in incidence of these issues arising in divorce litigation, even in the short number of years I have been on this job, now starting at year 6.

I think part of our problem in Las Vegas is unique to the Nation, and that is we believe, based on data that we have from various entities, that our growth rate is still a net of 4,000 people per month in this county. We have 6,000 people who come here each month and, we believe, about 2,000 move on. So, with that 4,000 per month, we have become the fastest growing community in the Nation, and, of course, this plagues our resources as well as increases tension and stresses the system as well as the family.

Domestic violence cases in Clark County have been very interesting. I have submitted to your committee a memorandum which I gave to the chief judge dated February 6, 1991.

And in that memo to Judge Lehman, I pointed out that while our system for temporary protective orders started in 1985—in July, as a matter of fact—that we started pretty much proportionally with 108 cases filed through the Las Vegas Justice Court in 1985, and that is because it was a half year. In 1986, there were 196 cases filed in the Las Vegas Justice Court for protection orders. That was an 80-percent increase over 1985, but that was explained, I believe, by the fact that it was a half-year program in 1985.

Thereafter, from 1986 through 1989, there was an average growth rate in those complaints of about 29 percent per year. And then in 1990 something very dramatic happened, which, quite frankly, I do not know why, and that was we had a growth in complaints in the justice court of 128 percent that year. We had a dif-

ference in 1989 of 422 requests for protective orders up to 961 in 1990.

Now, you cannot explain that on population, because our population growth is not nearly that effective. I think, in some part, perhaps the work of my committee—and on my committee are several people in this room, and I have noted them in the CC's of that memorandum, for your information. I think perhaps even that work, as quite as we worked and as hard as we worked—that had some effect on people seeking help from the police and authorities.

There are people out there looking for ways to be helped, and families are looking for ways to be helped. Now, with that backdrop, the court in Clark County has adopted and approved assembly bill 278, which is the Nevada Family Court bill that has now been introduced in this session of our legislature.

On page 2 of 278, it is stated that within the exclusive original jurisdiction of the family court, in counties with more than 100,000—of course, we are talking about Clark County and Washoe County, therefore—it states in subsection 10: "In order for protection against domestic violence, as in the purview of the family court where a family court will exist." So, we know at least by our indication that in January 1993, the district court will be responsible for the function—

Senator REID. I think we are going to take a short recess until we get this sound system worked out.

[A brief recess was taken.]

Senator REID. This committee will come to order. We apologize for the sound problems. It sounds, at least from here, better.

Judge Marren, if you would complete your testimony?

Judge MARREN. Well, I think it was very fortuitous that we had that gap, because Estelle Murphy approached me from TADC and noted that the cards have been going out to the victims since October 1989, and I think this is probably the biggest reason why we have seen such a dramatic increase.

I think we should point out too that the data I have told you about, 900-plus cases, is only Las Vegas Township, and it is important to know that there are 10 other justice court townships in Clark County, NV. And some of them are of rather big size: Henderson, Boulder City, North Las Vegas. So, we think that this matter is clearly gaining attention, both in reports of domestic violence and in the processing of those in the courts, as well as police calls, and so forth.

Let me get back now to the family court bill, assembly bill 278. As I noted to you—

Senator REID. They are indicating at the back of the room they cannot hear.

Judge MARREN. All right.

Senator REID. You might have to hold that in your hand.

Judge MARREN. All right. I will do that. That is pretty unusual. Usually people can hear me, but I will certainly talk into it.

The response of police has been brought out. Let me say this, we have agreed we need a special system to handle domestic violence, a better system than we have used here in Clark County.

I was one of the people nationwide, and there must have been thousands of people, who was very impressed with the program

that was on 911, on NBC affiliate here, Channel 3, talking about the Albuquerque, NM response to domestic violence. And quite frankly, I think Albuquerque is so far ahead of the rest of the country in this area, that it merits discussion here today.

Our committee, the committee that I formed with the approval of our Chief District Court Judge John Mosely of almost 1 year ago, wanted to study how the Albuquerque model would work here or could work here. And we found out some interesting points about the Albuquerque model.

First of all, special police teams are sent out during the hot hours 5 nights a week to respond to domestic violence calls, so, as you might expect, between 6 p.m., and 2 a.m., a special unit is sent out to answer these calls.

Now, these police are responsive to giving cards out, as has been noted here, but also to really diligently get the victim to take action so that this does not happen again.

Another key feature is a volunteer network of special volunteers which would be adaptable to our CASA Program here, in Clark County, that consists of former battered spouses, college students, and other members of the community that go out with the police at 2 a.m. in the morning and provide counseling referral, transportation referral, and all kinds of information to these victims to make sure that they will get help.

Another feature of Albuquerque that I think is really appropriate—and this may be the need for State legislation in Nevada—is never permitting the victim to have the authority to withdraw a charge of domestic violence. That is the big terrorism: Allowing the victim to have the authority to withdraw a charge of domestic violence criminally. That should not be done for the obvious reason that the victim is not capable of voluntarily and freely withdrawing such a charge. So, in New Mexico, the victim's input is unnecessary on the issue of whether there will be a criminal prosecution, and I will tell you, in Albuquerque, there will be a criminal prosecution.

Although I think they have approached it better therapeutically in that, if the batterer gets help, and seeks help, and stays away from any other problems, that obviously deals with mitigation of possible punishment. But, I think what you find in Albuquerque are longer incarcerations initially for domestic violence, more links to therapy than we have nationwide, and I think that is the possible answer to some of these cases.

In Clark County, unfortunately, it may be true that one has to file a complaint for divorce to get full-range help for an episode of domestic violence. What I mean by that, as I noted in my memo that I provided to the committee, in Clark County, our justice courts handle domestic violence temporary protective orders. They do not believe they have the authority to provide child support, visitation for children, restraint from house—those kind of features that are necessary to allow a family to get through a trauma of domestic violence.

In the family court makeup, we would have that full-featured relief available so that someone could come in and say that they were battered and, upon that hearing being commenced, child support could be started, therapy could be mandatorily applied, chil-

dren could be shared, and those kind of factors could possibly keep some families together that really now may be broken apart because of one episode of domestic violence and no competent resource in the community to keep the family together. In some cases, that will not be possible because this conduct is too pervasive.

But, I think that therapy is really the answer. Also, when we look at this, we know that children in domestic violence cases are always victims. They are either victims and more often than you might like to know, victims of the actual abuse itself, because the batterer does not limit his actions just simply to the defenseless spouse. This is a reaction of that person to everyone in his environment who is able to be subdued and controlled by this person. And children are victims too if they only see mom get beat up in the kitchen at night.

While domestic violence is definitely kept secret from friends, church minister, bishop, and employers, it is not a secret within a family. The family definitely experiences and knows what can happen as a result of domestic violence. The behavior is imprinted on these children so that they come to believe that it is appropriate behavior when you are having a discussion with an adult to hit that person—to be battered by that person. And that is why these children must be dissuaded of this in a therapeutic setting as well.

I want to really commend one program in our community today, and that is the TADC Program. I have been using it in my court for the past several years. I am able to refer domestic violence cases to that therapeutic model and have a counselor appointed for the batterer, for the victim, and for the children and work toward some kind of comprehensive conciliation, if possible, of the problems in that case. And that program is a sterling one that I quite frankly think will be the basis of our referral in the family court on a contractual basis.

Reno has already chosen to take its own course and has contracted with a local entity like TADC up there to do its counseling and referral business, so our long-term plan would be to have the family court take responsibility for this and have TADC people there on contract to help them fill out the papers, help them counseling, help them get help, and, again, encourage them to solve this situation. Special police are fundamental——

Senator REID. You have to start wrapping up your testimony——

Judge MARREN. I will.

Senator REID [continuing]. Because we have a lot of witnesses here today.

Judge MARREN. Special police are fundamental. Our plan is to look at that as well, at least on one squad. Should this person who handles these cases be a commissioner appointed by the judges or a judge? That is an issue for the family court and will have to be decided in our legislature. That will happen.

The one thing that I wanted to say is that we need funding for these programs. And I am delighted that you are here today, because we really do need you to look at us here in Clark County with our unique problems and consider whether you could find some money for either the domestic violence program or the volunteer network that we have talked about.

You know, everybody wants to stop this, but people putting it as a priority for money that is available is the real problem. This is an area that needs money and needs your help.

Thank you.

Senator REID. Judge Marren, thank you very much. There is no one that works on these problems more than you do on a daily basis, and I know that you have a lot to say. And we are going to lean on you heavily in the next few months.

[The information follows:]

[MEMORANDUM]

To: The Honorable Jack Lehman, Chief Judge

From: Terrance P. Marren, Senior Domestic Relations Referee TBM

Date: February 6, 1991

Subj: DOMESTIC VIOLENCE COMMITTEE

Several months ago I met with former Chief Judge Mosley on the topic of domestic violence. On that basis I formed a committee to study this subject.

As you know, the proposed Family Court bill proposes that domestic violence be added to the original, exclusive jurisdiction of the Family Court in districts where there will be a Family Court. Under that legislation, this district and the Second Judicial District Court will have a Family Court if the bill is passed by the 1991 Nevada Legislature.

In this District civil and criminal domestic violence cases have been resolved by the justice court where the incident occurred. The Nevada Supreme Court has determined that all items noted in the list of topics for the justice court are within the original, exclusive jurisdiction of the justice court. See K.J.B. Inc. v. District Court, 103 Nev. 473, 745 P.2d 700 (1987). It does not appear that in light of K.J.B. the district court can exercise jurisdiction over these matters until the Nevada Legislature enacts legislation permitting the district court to do so or until the Supreme Court revises or overrules K.J.B. The proposed legislation will settle this issue.

You will note from the carbon copy list below the people who have participated in our discussions so far. From humble beginnings our committee has grown to include representatives from many agencies and sectors of our community which work with domestic violence cases.

The committee has investigated the domestic violence prevention and treatment program now working in Albuquerque, New Mexico. Some of the committee members have visited Albuquerque at their own expense to see that program in action. The Albuquerque program utilizes an appointed domestic violence commissioner to hear the civil aspect of domestic violence cases. The decisions of the commissioner are immediately ordered by the court subject to a later appeal by either or both parties. The criminal side of the case is handled by the criminal courts; however, both courts apparently work in some coordination as a case is processed civilly and criminally.

One important part of the Albuquerque model is a provision of law that the party who calls the police concerning a report of domestic violence or who makes a charge alleging domestic violence may not later withdraw the charge of domestic violence. Also, convictions are not generally vacated from the record of the convicted batterer although successful attendance at counseling and the absence of repeat offenses results in mitigation of sanctions.

Albuquerque also uses a special branch of its district attorney's office to coordinate a group of special volunteers who go into the field with police personnel in response to domestic violence calls several evenings per week. These volunteers meet with the victim at the scene and refer the victim to appropriate services and courts and to file a civil proceeding for relief from domestic violence. This enables the domestic violence commissioner to order exclusion of the batterer, provide financial assistance for the family, establish custody and visitation and to address any other necessary issues. It is not required that a battered party file a complaint for divorce or legal

separation to obtain this relief. A referral is also given to the battering spouse so that all parties may seek therapy to attempt to resolve the underlying problems of the family, if possible.

Albuquerque also has a specifically trained police unit which responds to domestic violence calls certain evenings each week from approximately 6 PM to 2 AM, the prime domestic violence hours. Our committee believes this approach would be workable and advisable in metropolitan Clark County. Even one team of officers could be used as a start. These special police officers could also provide in service training to other police personnel.

One question raised is whether urban Clark County has enough domestic violence cases to warrant special attention by the police, the district attorney's office and the courts. To answer that question, I contacted Russ Eaton, Administrator of the Las Vegas Justice Court, and asked for statistics for that court. The following is a breakdown of applications for temporary protective orders from 1985 through 1990:

1985	- 108
1986	- 196 (80% over prior year)
1987	- 248 (25% over prior year)
1988	- 347 (40% over prior year)
1989	- 422 (22% over prior year)
1990	- 961 (128% over prior year)

These numbers are interesting. The 80% jump is explained for 1986 since the domestic violence law was only on the books for half of 1985. The average growth of complaints grew by 29% per year between 1987 and 1989. 1990 is totally unexpected. The 128% growth from the prior year is hard to explain. Perhaps more people are hearing about the domestic violence program. Perhaps our exploding population is a factor, but it can't explain the explosion in cases of 128% growth in one year. These latest numbers indicate that domestic violence complaints could dramatically increase in future years, especially when the Family Court assumes this function. Bear in mind that there are also ten other justice courts in Clark County from which data has not been yet obtained. This data supports the conclusion of our committee that a better approach to the handling of domestic violence complaints, civil and criminal, is in order.

The committee has now progressed to such a point that input is needed from the district judges to proceed. The questions posed for resolution are:

1) Should civil domestic violence cases be heard by an appointed commissioner or referee or should this function be performed by a district court judge?

The committee believes if this function is performed by a non-district court judge the commissioner or referee must have immediate authority to issue orders. Most courts use appointed commissioners to perform this function and all have given the person performing this job immediate order authority. In Reno, the Second Judicial District Court has given immediate order authority to their Domestic Violence Master, Scott Jordan, by local court rule. Those rules will soon be presented to our Supreme Court for approval.

2) If an appointed commissioner should be used to hear these cases, should a statute be implemented in this legislative session authorizing the appointment of a domestic violence commissioner?

To my knowledge, most of our master/referee programs have statutory language authorizing appointment of judicial officers. Domestic referees are authorized by NRS 125.005. Juvenile court masters are authorized by NRS 62.090. Paternity masters are authorized by NRS 3.405 and 126.111. URESA masters are authorized by NRS 3.405. The Discovery Commissioner is authorized per N.R.C.P. 16.2. Our Probate Commissioner is the only apparent exception; his position is not defined by statute or rule although he is mentioned in EDCR 4.14, 4.16 and 4.20.

I believe there may be some merit for a statutory provision to establish a domestic violence commissioner if that is the way to go. The immediate order authority of the commissioner could be established in this way. Also, an appeal mechanism would be clarified.

3) Should a special police unit be established to handle domestic violence calls as is done in Albuquerque, New Mexico?

The committee believes this would be a logical step given the increased numbers of cases throughout metropolitan Clark County. This goes hand-in-hand with more substantial training required for all police officers. As noted previously, a small unit of 2-3 officers five nights per week serving the jurisdiction of the Las Vegas Metropolitan Police Department in urban Clark County could be an effective start.

4) Should special volunteers be used to assist victims of domestic violence and the entire family to get help for the problem?

This also is a highlight of the Albuquerque model. It has worked well by all reports. These volunteers include former abused persons as well as a variety of other volunteers.

5) Should a victim of domestic violence be prohibited from withdrawing a complaint of domestic violence?

This is a primary feature of law in New Mexico. It would require legislation to achieve this in Nevada. The authorities in New Mexico suggest recidivism of domestic violence cases is reduced by this statute.

6) Should a conviction for domestic violence not be expunged from the criminal history record of the perpetrator or at least not for several years?

This again would require legislation. Albuquerque does not permit the expunging of a domestic violence conviction one year after the conviction is entered as may be the practice here in some of our courts. Longer probation is a key feature of the Albuquerque model.

7) Should there be a special unit of the District Attorney's Office to handle domestic violence in the criminal and civil courts?

Our group finds this a very logical step. In this way the District Attorneys handling these cases would have a comprehensive knowledge and expertise over all aspects of a domestic violence case.

Perhaps a Family Crimes Division of the District Attorney's office could handle these cases as well as crimes against children, including, but not limited to, criminal abuse or neglect, sexual abuse, criminal exploitation of children and all other crimes against children.

8) Should the District Attorney's office be responsible for the coordination of the volunteers who work on domestic violence cases?

In Albuquerque, the counterpart of our Victims Witness Program, a program under the control of their District Attorney's office, manages the volunteers in this program. The program has been efficiently managed without a tremendous budgetary cost. Alternatively, a Director of Volunteer Services which is court-based could administer and assign these volunteers. This could be a natural extension of our Domestic Relations CASA Program.

9) Assuming these programs are desirable, how would or could they be funded?

Some exciting news has recently arrived on this issue. Senator Harry Reid is holding a meeting on this issue on February 12, 1991 from 9 AM to 11 AM. Apparently there will be funding available for programs such as the ones suggested herein pursuant to legislation

proposed by Senator Joe Biden. That legislation is co-sponsored by Senator Reid. I have been asked by Senator Reid to participate in that conference which will be held in the Thomas & Mack Boardroom. This seems to be the most promising potential source of funding so far.

10) What should the involvement of the Eighth Judicial District Court be in this process?

As I noted, our group has now come to some tentative conclusions which will require the involvement of the heads of the various police organizations of metropolitan Clark County, the District Attorney, and others. I should note that Undersheriff Eric Cooper has designated Joanne Angerson to represent the Las Vegas Metropolitan Police to work with our committee from the outset to date and John Lukens and Debbie Lippis have sat in on most of our meetings to date as interested members of the District Attorney's staff.

Judge John McGroarty asked to join our group a few months ago but has yet been unable to attend our meetings due to scheduling conflicts.

The central question is whether this pursuit should now be converted to a district court committee for further study and possible recommended action. If so, I understand that it would be necessary to appoint a district court judge as chairman and other district court judges as members of the group. I would certainly welcome that action.

Alternatively, I could continue to work with our group if you concur and bring more information to you as we progress. I am seeking your guidance and direction as to how the group and I should next proceed. My purpose is to make you aware of our activities and have you direct me as to what my involvement from this point forward should be.

BIOGRAPHY OF TERRANCE P. MARREN

TERRANCE P. MARREN

Senior Domestic Relations Referee
Eighth Judicial District Court

Birthdate: October 4, 1948

Marital Status: Married

Children: Two

EDUCATION

Graduate California Western School of Law
 San Diego, California
 1974-77
 Juris Doctor Degree
 Class Standing: Top 17%

Undergraduate University of Nevada, Las Vegas
 Las Vegas, Nevada
 1970-74
 B.A.: 3.3 GPA

HONORS AND ACTIVITIES

Legal Award of Special Recognition, State Bar of Nevada,
 1988
 Who's Who In American Law, Second Edition (1980)
 National College of Juvenile Justice, Summer 1980
 State Bar of Nevada, Member
 Clark County Bar Association, Member
 American Association of Public Welfare Attorneys,
 Western States Representative, 1981-82

Community

Clark County Urban Action Committee, Member
(1973-74) (created by the 1973 Nevada
Legislature)
Nevada Committee on Human Rights, 1979
Clark County Human Rights Committee, 1980 to 1986
(Reviewed policies of the Division of Mental
Hygiene and Mental Retardation toward mentally
ill resident clients)
Boy Scouts of America, Boulder Dam Area Council
Silver Beaver Award, 1988
Vice President Exploring Division, 1989 to date
Assistant Council Commissioner, Training,
1987 to 1989
Assistant Scoutmaster, Troup 133, 1987 to date
Webelos Den Leader, Pack 130, 1986-87
Cubmaster, Pack 126, 1984-85
Vice Chairman, Exploring Division, 1983 to date
Chairman, Specialty Exploring, 1983 to 1987
Chairman, Exploring Division, Explorer Expo,
1983
Chairman, Scout Division, Scoutarama, 1982
Board of Directors, Boys & Girls Club of
Clark County, January 1987 to date

Law School

LAW REVIEW, Managing Editor
Advocacy Honors Board, Chairman
Client Counseling Board, Member
Corpus Juris Secundum Award, 1976
Order of the Barristers, 1977
Diane Gafford Trial Practice Award, 1977
Lewis F. Powell, Jr. Medallion Recipient
(presented by the American College of
Trial Lawyers)
Outstanding Litigator Award, National Mock Trial
Competition, 1977
Western United States Championship Team,
National, 1977
Phi Alpha Delta Legal Fraternity, Marshal,
1976-77
Dean's Award (for outstanding service to the law
school), 1977

Undergraduate

Political Science Student Association, President,
1973-74
Department of Political Science, Student Repre-
sentative, 1973-74
Dean's Honor Roll, 1972-74
Who's Who In American Colleges & Universities
(1974 ed.)
Gubernatorial Intern, Governor Mike O'Callaghan
(1973)

LEGAL EXPERIENCE

1986 - present

Senior Domestic Relations Referee
Eighth Judicial District Court
200 South Third
Las Vegas, Nevada 89155

The Senior Domestic Relations Referee hears all
pretrial domestic relations motions brought
before the Eighth Judicial District Court in
the areas of divorce, annulment and separate
maintenance and most post-trial motions in the
same areas. Over 4,000 case transactions are
calendared before the Senior Referee each calendar
year.

1983-85

North Las Vegas, City Attorney's Office
Deputy City Attorney
2200 Civic Center Drive
North Las Vegas, Nevada 89030

Duties were those of the only Deputy City Attorney in the Civil Division of the City. The duties include representation of the City in suits brought against and brought by the City. Other duties include drafting legal documents including contracts, ordinances and opinion, and providing legal representation to various City departments.

1979-82

Office of the Attorney
Deputy Attorney General
Chief Counsel to Welfare Division
700 Belrose Street
Las Vegas, Nevada 89158

Duties were those of chief counsel to the offices of the Nevada State Welfare Division. These duties include representation of minor children in the custody of the Division, administration law and procedure concerning employees of the agency as well as cases involving denial or termination of welfare benefits and representation of other divisions of the Nevada Department of Human Resources in Clark County. Also, I was responsible for giving legal advice and representation to the Welfare Division Central Office in Carson City, Nevada and supervising a staff of four other attorneys throughout the State.

1978

Governor's Office
Capitol Complex
Carson City, Nevada 89710

Duties were those of legal advisor and administrative assistant to the Governor. Administrative duties included executive responsibility for over 150 State boards, commissions and agencies as well as all legal matters concerning the Governor.

1977-78

Supreme Court of Nevada
Capitol Complex
Carson City, Nevada 89710

Duties were those of a law clerk to the chief legal advisor.

1976

Stutz, McCormick & Mitchell
Attorneys at Law
110 West "A" Street, Suite 1575
San Diego, California 92101

Duties were those of a law clerk in a law firm specializing in insurance defense cases as well as workmen's compensation.

MILITARY SERVICE

1967-70

United States Army Special Forces (Green Berets)
101st Airborne Division
Highest Rank: Sergeant E-5

REFERENCES

The Honorable Cliff Young
Chief Justice
Supreme Court of Nevada
Carson City, Nevada 89030

The Honorable J. Charles Thompson
District Judge
Eighth Judicial District Court
Las Vegas, Nevada 89155

STATEMENT OF ROBERT GASTON

Senator REID. The next witness will be Bob Gaston, a local attorney.

Mr. GASTON. Thank you, Senator Reid. I appreciate the opportunity to make a presentation to you. I can join with the others that are here, and I look around the room and see dozens of people who have been working for years and years on this particular problem in Nevada.

One of the biggest obstacles that we run into is getting the attention of those in our leadership, getting the attention to those statistics that you have impressively put on display here today. The fact that you have knowledge of this, and understanding, and sensitivity, is the biggest obstacle that we usually face, and it shows that you have made the giant step. And many of us here that have been working on it are greatly appreciative and indebted to you and indebted to Karen, who, I understand, has been providing you with the background research of this.

The leadership—the legal system in Nevada, Senator, is typical of most jurisdictions around this country in the area of domestic violence. The legal system, from the initial call, all the way to arrest, all the way through the courts, is years behind this society's recognition of the problem.

You have indicated in your opening remarks that domestic violence is the single major cause of injury to women. It is more frequent than auto accidents, muggings, and rapes and the other crimes, but our legal system has been very slow to respond to this societal epidemic.

A great deal needs to be done, and we appreciate the work that you are doing, and hopefully we can bring some recommendations to you that may enhance your work at the Federal level.

I will not go over a great deal about the police call, because Ellen succinctly put some of the problems into focus that we are facing, notwithstanding some of the statutory provisions that have been passed in the State of Nevada.

There are women who are arrested still today for domestic violence when they happen to scratch their attacker in defending themselves. There are women who go through criminal prosecution from only defending themselves, and there are women who refuse to prosecute their husbands or their mates simply because they have been threatened that their children will be taken to Child Haven. And they are not about to subject their children to what they are facing.

The recommendation that I would have to overcome this particular problem has got to do with volunteerism within the police department itself. As Referee Marren so aptly put, there is a model program in Albuquerque, NM. Albuquerque has volunteer police officers who form a unit—it is called the dart unit—who are specially trained. They go through weekly training, and updating, advancing their knowledge in this particular area.

They volunteer because they have an interest in this area. They volunteer because they have sensitivity to family and children issues. They want to be there. They want to help. They want to make a difference.

We have police officers here, in the State of Nevada, who fit that description. We would like to give them the opportunity to develop those skills and refine them so that we can make proper use of them in this area. In order to do that, we need complete cooperation from the police department, and obviously we need to make a case as far as support of this kind of a unit, although, they swear in Albuquerque, NM, it does not take more of the budget to do this.

They justify it in the fact that normally, without a specialized unit, police officers are called sometimes two, three, and four times in one night to a family crisis. The specially trained units, however, because of the training and cooperation with the other volunteers that go with them, they make one call, and the crisis is subsided at that time.

The other area that I want to discuss is the restraining orders here. When a woman is the victim of abuse, she needs an order restraining the batterer from approaching her. Now here we have a law which requires a lockup of the batterer for 12 hours. We call it a cooling-off period.

However, this victim cannot, within a 12-hour period, get a restraining order. By the time his 12 hours is up, he is returned to the home, and he is mad as hell. And the chances of some sort of abuse taking place after the incarceration are also great. Although incarceration is a deterrent, many women do not file charges and request this batterer to be locked up, because they know what they are going to expect when he gets back home.

There are two ways to get a restraining order in our State: one is through the justice courts with a protective order that we have made special provisions for in domestic violence situations, and that takes about 2 days to get. Another is a restraining order that you can get through the district court that you are aware of from your previous practice here. You can sometimes get that order almost immediately through an order-shortening time, on an ex parte basis.

However, both the justice court and the district court are very reticent to also include in that exclusive possession of the family residence, which means that even though the victim can get a restraining order, it will take here usually weeks to set up a hearing in order for her to have exclusive possession of the home. What this means is that the victim and her children, if she wishes to take her children with her, are disposed of her home for the meantime, while this awaiting court hearing.

Now, to go back to Albuquerque again—they have what they call a domestic crisis commissioner, and that commissioner can and does, on the spot, interview victims. And within minutes, this victim can get a restraining order, and that restraining order is served by a constable or a police officer who goes to the home and removes the batterer.

And so in a situation that I think is ideal, the victim is allowed to stay in the home, rather than the victim being punished and having to leave her own home. This would reduce the impact on our shelters. As you know—as the Senator knows, the shelters are over-burdened and over-crowded, and we certainly need more shelters. But, this would be one answer to that.

The judicial system has made a lot of growth in the area of domestic violence here, but there is a long, long way to go. Unfortunately, the judges that we have in the district courts and the justice courts, and even in the domestic courts, do not have the understanding, the knowledge, the education, and the sensitivity that it takes to handle these kinds of cases.

We need, in my estimation, what I have termed as an ombudsman, a statewide ombudsman who does nothing but training in this area. I envision an ombudsman for domestic crisis going to police departments throughout the State on an annual basis, and train, and retrain, and advise, and educate policemen, and judges, and prosecutors throughout this State on an annual basis of domestic violence and what the effect that is. Let them understand what an abuse syndrome is with a woman and how to recognize it, and what does that mean in her testimony, and what does that mean as far as arresting the perpetrator.

PREPARED STATEMENT

All this needs to be done, and all of this costs money. But, it has got to be—we have got to come to the point in our society, and in this State, and in the Federal Government where this epidemic takes a priority. And I, along with the others here, applaud you for your interest here and pledge my support in helping you accomplish that.

Senator REID. Thank you very much.

[The statement follows:]

STATEMENT OF ROBERT E. GASTON

Our legal system in Nevada is typical of most jurisdictions around the country on the subject of domestic violence. The legal system is years behind our society's recognition of the problem.

Although domestic violence is the single major cause of injury to women, more frequent than auto accidents, muggings and rapes combined, our legal system has been slow to respond to this societal epidemic.

Much needs to be done from the initial call to the police by the victim through the final adjudication of the matter in court.

I. POLICE CALL:

Police officers in Nevada are not unlike police officers in other states in that most of them loathe responding to a domestic violence call. Cases that have been documented in the past show little interest or understanding by the police officer on call.

Nevada has enacted legislation to side police officers in such calls, but problems still persist. One typical problem is the situation wherein a batterer attacks his wife by throwing her and striking her on the body. The wife in attempting to defend herself against that attack scratches cheek of the husband. The wife calls the police for the protection and the police arrest the wife because the husband has the only visible wound.

Another typical scenario occurs when the police officer is unable or unwilling to ascertain the initiator of the violence, even though the man is taller and heavier than the woman. The officer then explains to the woman that because her bruises are not yet visible he is unable to ascertain the wrongdoer. The officer then explains that if she insists on filing charges, both man and woman will be arrested and the children will be taken to Child Haven.

Finally, the woman to protect her children and herself from incarceration refuses to file charges.

RECOMMENDATION:

Develop a volunteer unit of police officers who specialize in domestic violence. Train them how to correctly handle typical and specialized calls in this area. Those that are on the team are those who are interested in this problem.

Specialization will help minimize arrest problems.

II. RESTRAINING ORDERS:

When a woman is the victim of abuse, she often needs an order from the Court restraining the batterer from approaching her or or harassing her. In Nevada, there are two ways to obtain a restraining order. One approach is to go to the Clerk of the Justice of the Peace, fill out an application for a protective order and submit such an order for the Justice of the Peace to sign. This method takes two days.

The second approach is to request a restraining order from the District Court. It is possible to receive a T.R.O. on an ex parte basis on the same day application is made through an Order Shortening Time. Otherwise, it might take two to four weeks to have it heard on the Court's calendar.

The problem with the Nevada system is that the victim of the abuse, the woman 95% of the time, cannot remain in her residence throughout the restraining order period. If there are children involved she must find shelter for her children. Although the Justice Courts have statutory authority to remove the adverse party from the home, this rarely occurs.

Generally, an abused woman will not have money or any means to move out on her own. An abuser is a controlling individual who not only controls through physical abuse but through financial dependence.

An abused woman must rely on family or friends for shelter. Since most abused women are not allowed to maintain friendships,

they have no place to turn. Domestic violence shelters assist women in such predicaments. However, there is usually a waiting list to gain admittance into a shelter.

As a result, hundreds of women every month must remain in their abusive homes because they have no where else to turn.

RECOMMENDATION:

Nevada must streamline its system of domestic violence restraining orders. One city has been successful in establishing a domestic violence commissioner. In Albuquerque, New Mexico, this commissioner can act upon a request for a restraining order in minutes after hearing testimony of the need. The commissioner restrains the abuser from the home. In this way, the victim is not out on the streets while this problem is being attended to. The victim and the children remain in the home while the abuser must find temporary accommodations.

In Albuquerque the initial restraining order lasts for ten days. The victim must request a continuation of the restraining order after that time. The commissioner may grant an additional 90 days only after a full hearing with the victim and the alleged perpetrator.

One advantage to the Albuquerque plan is that the victim remains in the home. Another advantage is that the victim does not have to file a complaint for divorce in order to get relief. In Nevada, we almost force people in a divorce by offering relief only through the Courts. To obtain relief from the District Court, a complaint for divorce is typically the document that initiates the action. Undoubtedly, there are couples who through a period of separation and counseling might not pursue a divorce.

III. THE JUDICIAL SYSTEM

Our judicial system has made growth in the area of domestic violence but has a long way to go in effectively and sensitively dealing with the problem.

In our municipal and justice courts, a batterer is handled in a very perfunctory manner. A batterer is normally offered a "deal" whereby he pleads guilty, attends an impulse control class and refrains from beating his wife for a period of time. If the batterer does complete the impulse control class the charges are dismissed.

A batterer cannot and will not change his behavior within such a system. The system must have an appropriate and meaningful penalty to modify his behavior. The present penalty is a joke in the community. The results is that there is a chilling effect on a woman reporting the beating.

The Domestic Courts and District Courts oftentimes do not consider spousal abuse as that serious. Although hundreds of studies show clearly that a child is effected negatively by spousal abuse, many judges will not take into consideration spousal abuse when they make decisions regarding child custody.

The result is that children continue to be negatively effected by constant and continuous contact with the abuser. There are cases where the abuser has been named as primary physical custodian, notwithstanding his violent nature.

RECOMMENDATION:

We must develop a plan of education and awareness for our judiciary. One recommendation would be the development of a statewide Ombudsmen for spousal abuse. The duties of the Ombudsmen would be to annually provide training for our judges and our police officers in the areas of domestic violence. It is only through awareness and sensitivity will our judicial system improve in this area.

We also need to develop appropriate and systematic punishment for abusers. The punishment should increase with each crime and there should be mandatory counseling.

Our state laws should require the consideration of domestic violence in child custody proceedings.

It will take a dedicated effort to establish appropriate procedures to curb the ever-growing epidemic of domestic violence. We must dedicate our time and resources to make a difference in our state.

STATEMENT OF JO ANN ANGERSON

Senator REID. Jo Ann Angerson, Metropolitan Police Department.

Ms. ANGERSON. Thank you, Senator. I welcome the opportunity to address this committee today on a timely and profoundly relevant topic of domestic violence.

To provide you with some background, I have been an abuse/neglect investigator with the Las Vegas Metropolitan Police Department for more than 15 years. I am currently a member of the domestic violence task force, which, as you have been advised, has been formulated by Judge Marren. Additionally, I was one of the founders of temporary assistance for domestic crisis, and I continue to serve on their advisory board.

In the course of all these roles, I have been actively involved with the problems of domestic violence, an all-encompassing buzz phrase, which I believe frequently depersonalizes and sanitizes the act of beating up our loved ones.

According to the Information Services Bureau of the Las Vegas Metropolitan Police Department, in 1990, from February through December, our officers responded to over 23,000 domestic violence calls. These numbers do not take into account calls to which police departments in other jurisdictions, North Las Vegas, Boulder City, Henderson, and Mesquite, have responded.

When a police officer responds to a domestic violence call, depending on the severity of the situation, he or she has a number of options available. One or both parties can be arrested and, in fact, if the officer observes injuries on a victim and he is informed that these injuries were inflicted in the previous 4 hours by a member of the household, he will arrest the perpetrator who, per statute, must remain incarcerated for the 12-hour period.

This mandatory time in custody frequently gives the victim the opportunity to leave. Please remember that we are, in the overwhelming majority of domestic violence situations, however, talking about women with small children as the victims.

Officers also advise victims of the various other options available to them, that is, restraining orders, protective orders, the victim/witness assistance center, and the district attorney's office, and the crisis shelter. There is no doubt, however, that the system is woefully overloaded and it does not fully respond to the needs of the victims.

Additionally, victims often withdraw their complaints or fail to follow through with prosecution. The victim/witness advocate informs me that of the 500 victims who she contacted in the last 3 months, most of them had no wish to prosecute their batterer. It is very difficult to accurately track the final outcome of many of these domestic violence incidents for a variety of reasons.

Many victims, most frequently women, as we have stated, withdraw their complaints and decide not to follow through because of fear or intimidation by the perpetrator; a lack of understanding or a real apprehension about how the court process works; a belief that they deserved the beatings; a misplaced hope that the batterer will change; an economic dependence on the batterer; a religious value that dictates that they stay for better or for worse; and, final-

ly, a belief that they should stay together for the sake of the children.

As a child abuse investigator, I have personally seen countless families who have been ravaged by domestic violence. Sometimes the child has been caught in the cross fire and is unintentionally injured as parents battle it out. Frequently, the child is not hurt at all, but his ongoing exposure to physical violence between those people who are supposed to be providing a safe and peaceful haven for him can only serve to imbue him with fear, confusion, low self-esteem, and the very real message that it is all right to hurt your loved ones. Frequently children are used as a weapon and are hurt in the process.

When domestic violence complaints are followed through by the victim, the court system, as it is currently structured, is fragmented. For example, a family may be in the process of divorce and child-custody actions due to family violence. It is not an unheard of condition for one family to have domestic violence charges in the criminal court, divorce and child-custody actions in the domestic relations court, and abuse and neglect investigations in the juvenile court. This is one of the primary reasons, at least as I understand it, why Judge Marren has set up the domestic violence task force.

This task force also serves to study successful means of combating domestic violence in other areas of the country. There has been a lot said about Albuquerque, NM, and I will add a couple of comments of my own.

As Mr. Gaston has pointed out to you, Senator, Albuquerque has developed a very progressive method of handling domestic violence cases. One very significant and positive measure implemented there is that the domestic violence victim is not permitted to withdraw his or her complaint. Some official must be taken, hopefully, to improve the victim's situation and to make the perpetrator responsible for his actions and the consequences of those actions.

They have spoken of trained volunteers responding to the scene of the domestic violence and providing services on the spot to the victim. Our police department currently has two victim/witness advocates from the district attorney's victim/witness assistance center who are physically assigned in the detective bureau of the police department. One of these advocates receives all domestic violence reports and contacts the victims to offer any assistance that the victim may wish.

As I noted earlier in my testimony, from November 1990 through January 1991, the victim/witness advocate made contact with 526 victims of domestic violence. The importance cannot be overstated in domestic violence cases for individuals who have finally found the courage to say no more and who have turned to the police, the district attorney's office, and the courts for help in breaking a cycle of violence in which they have lived, sometimes for a lifetime.

PREPARED STATEMENT

We have a responsibility to provide those resources, legislate the statutory changes necessary, provide safe haven, job training, child

care, parent-skills training, any other needs that get identified by victims, and to enforce the law.

Thank you for the opportunity to speak to you today, Senator.
[The statement follows:]

STATEMENT OF JO ANN ANGERSON

I welcome the opportunity to address this committee today on the timely and profoundly relevant topic of Domestic Violence. To provide you with some background, I have been an Abuse/Neglect investigator with The Las Vegas Metropolitan Police Department for more than fifteen years. I am currently a member of the Domestic Violence Task Force which has been formulated by our Senior Domestic Relations Referee, the Honorable Terrance Marren.

Additionally, I was one of the founders of Temporary Assistance for Domestic Crisis, and I continue to serve on their Advisory Board.

In the course of all these roles, I have been actively involved with the problems of domestic violence, an all-encompassing buzz phrase which, I believe, frequently depersonalizes and sanitizes the act of beating up our loved ones.

According to the Information Services Bureau of The Las Vegas Metropolitan Police Department, in 1990, from February to December, our officers responded to over 23,000 domestic violence calls. These numbers do not take into account calls to which police departments in other jurisdictions, North Las Vegas, Boulder City, Henderson, and Mesquite respond.

When a police officer responds to a domestic violence call, depending on the severity of the situation, he or she has a number of options available. One or both parties can be arrested and, in fact, if the officer observes injuries on a victim, and he is informed that these injuries were inflicted in the previous four hours by a member of the household, he will arrest the perpetrator who, per statute, must remain incarcerated for twelve hours. This mandatory time in custody often gives the victim the opportunity to leave. Please remember that we are, in the overwhelming majority of domestic violence situations, talking about women with small children as the victims.

Officers also advise victims of the various other options available to them, i.e. Temporary Restraining Orders, the Victim Witness Assistance Center and the Crisis Shelter. There is no doubt, however, that the system is woefully overloaded and doesn't fully respond to the needs of victims.

Additionally, victims so often withdraw their complaints or fail to follow through with prosecution. The Victim Witness Advocate informs me that of the five hundred victims whom she contacted in the last three months, most of them had no wish to prosecute their batterers.

It is very difficult to accurately track the final outcome of many of these domestic violence calls for a variety of reasons. Many victims, most frequently women, withdraw their complaints and decide not to follow through because of fear of or intimidation by the perpetrator, a lack of understanding, or a real apprehension about how the court process works, a belief that they deserved the beatings, a misplaced hope that the batterer will change, an economic dependence on the batterer, a religious value that dictates that they stay "for better or worse" and, finally, the belief that they should stay together "for the sake of the children."

As a Child Abuse Investigator, I have personally seen countless families who have been ravaged by domestic violence. Sometimes, the child has been caught in the cross-fire and

unintentionally injured as parents battle it out. Frequently, the child is not physically hurt at all, but his ongoing exposure to physical violence between those people who are supposed to be providing a safe and peaceful haven for him can only serve to imbue him with fear, confusion, low self-esteem, and the very real message that it is all right to hurt your loved ones. Frequently, children are used as a weapon and are hurt in the process.

When domestic violence complaints are followed through by the victim, the court system, as it is currently structured, is fragmented. For example, a family may be in the process of divorce and child custody actions due to family violence. It is not an unheard of condition for one family to have Domestic Violence charges in the criminal court, divorce and child custody actions in the Domestic Relations Court, and Abuse & Neglect investigations in the Juvenile Court.

This is one of the primary reasons that Judge Marren has set up the Domestic Violence Task Force. This task force also serves to study successful means of combating domestic violence in other areas of the country. Albuquerque, New Mexico currently has a very progressive method of handling domestic violence cases. One very significant and positive measure implemented there is that the domestic violence victim is not permitted to withdraw his or her complaint. Some official action must be taken, hopefully to improve the victim's situation and to make the perpetrator responsible for his actions and their consequences. Also, a team of trained volunteers responds to the scene of the domestic violence and provides services on the spot to the victim.

Our police department currently has two Victim/Witness Advocates from the District Attorney's Victim Witness Assistance Center who are physically assigned to the Detective Bureau. One of these advocates receives all domestic violence reports and contacts the victims to offer any assistance the victim may wish. From November, 1990, through January, 1991, the Victim/Witness advocate made contact with 526 victims of domestic violence.

The importance of advocacy cannot be overstated in domestic violence cases. For individuals who have finally found the courage to say "no more" and who turn to the police and the DA's office and the courts for help in breaking a cycle of violence in which they have lived, sometimes for a lifetime, we have a responsibility to provide those resources, legislate the statutory changes necessary, provide safe haven, job training, child care, parent skills training, and enforce the law.

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

DOMESTIC VIOLENCE CALLS FOR FEBRUARY THROUGH DECEMBER 1990

3173 - arrested

52 - citation issued

366 - report taken only

244 - report taken, arrest made

26 - report taken, citation issued

389 - unfounded

- 2517 - cancelled
- 3812 - gone on arrival
- 288 - unable to locate
- 1420 - settled at the scene
- 44 - required officers report
- 127 - other jurisdiction
- 11,175 - warning and/or subject advised
- 7 - false alarm
- 116 - refused to sign complaint
- 72 - radio broadcast only
- 4 - non-criminal detail completed
- Total number of records processed - 23,832

BIOGRAPHY OF JO ANN ANGERSON

1985-Present

Las Vegas Metropolitan Police Department,
Las Vegas, Nevada.
Investigator Abuse/Neglect Detail.

Investigates all aspects of abuse, neglect, and exploitation of juveniles, the elderly, handicapped and institutionalized individuals, and attendees of licensed care facilities.

Provides assistance and back-up to patrol as needed.

Testifies in Juvenile, Criminal, and Probate Court.

Provides training on recognizing, reporting, and investigating abuse and neglect to school personnel, nursing staffs, community agencies, and residential facility staffs.

Assists private and public community agencies in providing protection of victims.

Provides training to field placement students from U.N.L.V.

1975-1980

Las Vegas Metropolitan Police Department
Youth Diversion Detail, Youth Counselor

Provided intervention counseling to predelinquent youths and their families with the emphasis on diversion from the Juvenile Justice System.

Coordinated with community resources to effect this diversion.

Provided support group meetings for youth who were exhibiting behavioral difficulties.

1980-1983

We Can (Working to Eliminate Child Abuse and Neglect) Las Vegas, Nevada.

Provided crisis intervention, transportation, respite care assistance to parents in crises through Parent Stress Helpline.

1973-1975

Focus Youth Services, Las Vegas, Nevada

Supervising Counselor.
Supervised twelve Youth Counselors and eight U.N.L.V. students in a residential runaway youth hotel established to house, counsel, and re-establish functional living situations for youth in crisis.

EDUCATION

1975-Present

Certifications, conferences, and training in drug and alcohol abuse, stress management, Advanced Officer's Training Course, Supervision Management Course, interview/interrogation techniques, parole and probation functions, homicide investigations, clandestine labs, crime scene preservation, elder abuse and exploitation, child abuse and neglect, crisis intervention, community resources and utilization, etc.

1961-62

Attended Immaculate Heart College,
Los Angeles, California

AWARDS

Recipient, Cary Collie Award for Outstanding Victim Service Provider awarded by Citizen's Committee on Victim Rights, 1989.

Recipient, State of Nevada Governor's Outstanding Community Service Award, 1987.

Recipient, Recognition/Appreciation Award from the National Association of Family & Conciliation Courts, 1987.

Finalist, Women of Achievement Awards,
Las Vegas Chamber of Commerce, Women's Council, 1988.

PROFESSIONAL MEMBERSHIPS:

We Can (Working to Eliminate Child Abuse and Neglect) 1975-1983.

American Association for Protecting Children
1986-present.

Alternate Member, Southern Nevada Mental Hygiene
and Mental Retardation Advisory Board, current.

Temporary Assistance for Domestic Violence,
Director 1975-1980, Advisor 1980-present.

Member Child and Adolescent Advisory Board,
Charter Hospital 1986-present.

Task Force Member, Family Counseling Services,
1987.

Member, Suicide Prevention Task Force,
Clark County School District, 1987-present.

Member, Domestic Violence Task Force, Clark
County District Court, 1990.

Appointee, Governor's Committee for the training
of reporters of abuse or neglect of a child, 1990.

WITNESS:

Special Committee on Aging, Congressional Hearing
with Senator Harry Reid, Crimes Against the
Elderly, August 22, 1990.

SPOUSE BEATING

Senator REID. A couple of questions: I think that Jo Ann—your statement, and I am paraphrasing—that maybe we make it too easy on those that perpetrate these crimes by making it some fancy word—call it battering. Really, you know, this is spouse beating. Maybe we should call it what it is.

Ms. ANGERSON. That is my feeling, Senator. Domestic violence is—the two words are mutually exclusive. I mean, domestic to me presents this image of a domicile, a peaceful haven, a safe place, and then you have violence. It is a phrase that—I mean, I certainly would not argue with it, because we have the public's attention with it. But, I am saying that it is a nice, sanitized way of saying that we beat people up that we supposedly care about.

Senator REID. I was impressed yesterday with some meetings that I held when I first heard of the domestic violence model that we find in New Mexico. And out of all that, the most important thing, as far as I am concerned—and I am sure there are other important things—but, based on my experience with the court systems here in Nevada, we always, according to what side of the case we were on—you always see on the victim withdrawing the complaint against the person that did the damage. And in New Mexico, that is not allowed. I think that is tremendous, and I think that is something, on a local level, that this State legislature should look at. I am not so sure we can approach that on a Federal level, but it is something that I think the legislature must look at.

So, I think this hearing is something that will send the legislature a message. I think this would force us all to do a better job. Maybe it will force the Federal Government to create more shelters, or to help, and at least to provide incentives, as encompassed in this legislation—give incentives for communities that have shelters.

I think what it would also do, within the confines of this legislation, is provide moneys for law-enforcement agencies that have special units for battered women.

Jo Ann, the interesting thing—because you have testified at other hearings that I have held—your duties are so widespread. And I think this is the problem we find in law enforcement. You are a specialist with battered women, but you cannot spend—you have too many other duties to spend much time doing that. Right?

Ms. ANGERSON. Yes, sir; I appreciate Ellen's remarks about the police department. And there is no doubt in my mind but that we

will speak with our liaison officers and the sheriff about those, because I have real commitment to people not being abused, whatever their age or their sex.

However, I am representative of every employee of the police department that works in the field. We have to do a lot of things all the time, quickly, and there is no doubt in my mind that the kinds of horror stories that she has told have taken place. But, I also feel real strongly that we have come along.

It used to be that officers could not arrest people unless the woman said, I want him arrested, and now, if you can observe an injury and the victim is too frightened to make that kind of statement, we can still take the batterer to jail. So, I think we are coming kicking and screaming into the 20th century about domestic violence.

Senator REID. You know, someone told me, on the way into this hearing, that I better stop having these hearings on crime. They said it facetiously, but, you know, I have done a lot of work on drunk drivers, and now these battered women cases. Pretty soon it's going to look as though I am after everybody.

But, domestic violence really does involve a lot of people. If we have 22,000 or 23,000 complaints just with metro, and let us say one-half of them are not valid—and I base that on nothing scientific—but that narrows it down to whatever half of 23,000 is. That is a lot of complaints, and you do not have—I would have to think that you are not staffed to handle all of those complaints.

Ms. ANGERSON. No, sir.

Senator REID. Another thing I want to talk to you lawyers about, when I practiced law—it started changing 9 years ago—but, one of the things we could do—a woman would come to me with a black eye, crying, hanging onto a child or two, saying, "He does this to me all the time." I could go to one of the district court judges and he would, on his own, sign an order saying "Serve these papers on the husband. He has 24 hours to get out of the house," or whatever time that we would set. I understand that is not done anymore, as you have explained, Mr. Gaston.

Mr. GASTON. The district court judges certainly have the authority. As a matter of fact, through our laws, the justice of the peace has that authority to dispossess an individual from their home. In a case like this, they have been very reticent to do this.

Senator REID. But, you know something—I will just interrupt for one moment. One of the reasons is that it is a lot of trouble. One of the reasons—if you give exclusive possession to a home, then there is another hearing. If in fact the judge does not do that, 99 times out of 100, you will never hear about the case again.

Mr. GASTON. That is right.

Senator REID. The reason the judges do not do that is that it is too much work, and I have to say that I think it is a shame.

Judge MARREN. Senator, to add on that—the system of domestic violence disposition and systems that have commissioners for domestic violence turn the law on its head and for good cause.

Typically, the victim would come to the commissioner's chambers and meet with the commissioner in chambers. This would offend attorneys tremendously to think that one party to any litigation

could have an edge in that sense, but those systems that have adopted it know that that must happen.

Senator REID. We do not have that here.

Judge MARREN. We do in Reno. Reno—the commissioner there, Scott Jordan, does that now. He meets with the person in chambers.

Senator REID. Now, for example, if a woman had been beaten, she could come to this commissioner, and the commissioner, on his own, could come to a determination as to whether or not there should be a restraining order issued to give her exclusive possession of that home.

Judge MARREN. That is correct. And, typically, it would indicate, for at least a 48-hour period of time, we're going to take the victim's allegation as truthful without any question. And then a hearing where the offender, alleged offender, could come in and present himself—still an informal-type hearing, where it would be done with the parties more often than with counsel—and at that time, the commissioner would have the authority to give wide-ranging relief to solve the problem. And I think that model is the one that is the most progressive.

Senator REID. If you look at one of these charts that I have here—look at what happens to a woman after divorce. It is staggering. And we wonder why women stay in these homes where they are battered around, and the reason is quite obvious: their choices are very limited. And I think the court system has to be more directed to protect these people who, in many instances, are literally helpless.

So, I would hope that the district courts here in our largest county in the State would look at the model that you suggested is in Reno.

Mr. GASTON. One other thing, Senator, on that same subject that you should be aware of is that, in order to get anything substantive done in this area, you would almost have to go through the domestic courts or the district court to do such.

In order to get before them, as you know as an attorney, you have to file a complaint, and normally that complaint is for divorce. So, in essence, in some of these situations of domestic violence, if we can get both people counseling and assistance soon enough, there may be a chance for reconciliation. There may be a chance for a productive family.

In our system, we almost force them into divorce because there is no fair ground.

Senator REID. I am sure things have not changed a great deal. To get a divorce, you have to have money. You have court costs. Even if an attorney wants to do a divorce gratis—what are the court costs now connected with a divorce? I am asking the question.

Mr. GASTON. Well, just to file a complaint is \$100.

Judge MARREN. Senator, you are aware of our pro bono law project which has been in existence for several years. It almost exclusively helps domestic clients. They also are well-skilled in getting those fees waived. So, there is another community program that I think really needs to be heralded for their help to battered people, as well as to dependent spouses.

Senator REID. That must be a relatively new program, then.

Judge MARREN. Yes; Suzy Smith, with the Clark County Bar Association, runs that program, and it has several hundred lawyers, including Mr. Gaston, participating on a yearly basis.

Senator REID. I am glad to hear that, and that is something that I will look into.

Ellen Buckley, would you be kind enough to give me your opinion as to whether this 23,000 calls regarding domestic violence received by metro last year is accurate? About what do you think it would be for the country? The same nationwide?

Ms. BUCKLEY. I think it is about the same. I think the problem that we have here is that some people do not have any other places. We are so transient. So, often, women here—they have no family. They have no friends here. They have nowhere to turn to. Whereas, sometimes in their hometown, if the abuser has not isolated them too much, they may have somewhere to run to. But, here, they do not have anywhere.

But, the 23,000 calls is the tip of the iceberg, because we hear over, and over, and over again—we always asked callers, "Have you called the police?" "No; I heard they arrest both of us," or "No, he said he would kill me if I called the police."

So, 23,000 is a drop in the bucket to what is really going on out there.

Senator REID. I really appreciate each of you taking time away from your various important duties. I think that we gained an insight. I have gained an insight that I would not have had if you all hadn't been here. Thank you very much.

STATEMENTS OF:

VICKI HECKLER

MIKE CAPELLO, SOCIAL SERVICE SPECIALIST, NEVADA STATE WELFARE

ESTELLE MURPHY, DIRECTOR, DOMESTIC CRISIS OUTREACH CENTER

Senator REID. The next panel of witnesses will investigate resources and services available. The first person testifying will be Vicki Heckler, who is a survivor. We have Mike Capello, a social service specialist with the Nevada State Welfare Division and Estelle Murphy, who is the director of the Domestic Crisis Outreach Center in Las Vegas.

The first witness will be Vicki Heckler.

Vicki, I want to tell you how much I appreciate your being here. I have to tell you that it was not easy to find someone that had been a victim and is now a survivor. One of the problems we find with domestic violence problems is that people are unwilling to come forward. As you know, you are in effect exposing yourself, and that is hard to do.

So, I admire and appreciate your having the courage to be here today. Please proceed.

Ms. HECKLER. Thank you. My name is Vicki Heckler, and I have three children. We are victims of domestic violence.

Senator REID. I cannot hear you. I am sorry.

Ms. HECKLER. Is that better?

Senator REID. Yes.

Ms. HECKLER. OK. I have three children. We are victims of domestic violence. For many years, we lived in fear of my husband.

We never knew from moment to moment whether we were going to be knocked about by him. The abuse got so bad that on September 15, 1989, I could not keep him from trying to kill my son. Through a counselor at my children's school, I got ahold of Child Protective Services, who helped us to escape from him and enter the domestic crisis shelter.

About 8 months prior to this, CPS had been called by my son's teacher. The CPS worker interviewed me and the children in front of my exhusband instead of alone. We were too terrified of him to speak up about the abuse.

We took up residence at the domestic crisis shelter on September 19. The women who staff the shelter are dedicated and caring, and we could not have made the drastic changes in our lives without them.

On September 25, I applied for Aid to Dependent Children, and was told that I would be informed as to my eligibility within 45 days. On November 1, I received an ADC check.

In the intervening time, my children were sick and had to be seen at university medical center. It was impossible for me to pay for the needed medicines, and my youngest daughter had a serious eye injury that required a specialist. I had to really work to get a pending slip to cover this visit, because welfare initially refused to give me one until I was officially approved for ADC.

The Medicaid coverage that we now have is very inconsistent. My son has been denied very necessary dental work, yet my daughters have been approved for less necessary work.

I applied at Clark County Housing on November 6 and was told that there was a 3- to 6-month wait. One of the shelter staff advocated with housing for me, so I was able to attend a briefing on December 27 and got an apartment. If I had not had priority on the housing list because of domestic violence and my father's veteran status and had an advocate, I would have waited up to 2 years for an apartment.

In the 3 months from the time I applied for welfare and housing until I found out that we had a place to live, my children and I were not able to relax. Thanks to the shelter, we had a place to stay and food to eat, but we were unable to really start the long, hard process of picking up the pieces and starting over. We did not know from one day to the next where we were going to live or if my husband was going to find us.

My divorce became final on August 24, 1990. As of that day, my exhusband was to pay child support. He did not start paying until welfare found him in October 1990. Up until then, I was receiving \$360 per month from ADC and \$291 in food stamps. My rent was \$11 a month in low-income housing. In November, I received an ADC check for \$360 and an additional \$92 for child support.

Because I was going to be getting \$451 in child support per month from the family support division, I was cut off of ADC. All my bills are due on the first of each month. I got no money during December until the 22d, leaving me to pay a considerable amount in late charges. We also would not have had Christmas if it had not been for the shelter.

Since November, I have yet to receive the full amount of child support. My family would have been more financially secure if my

exhusband had never started paying child support, because, at least on ADC, I knew when the check was coming, how much it would be, and could budget accordingly.

I have been trying to return to Clark County Community College to get my degree in accounting. In order to make having a job feasible, I would have to make enough money to pay child care, transportation costs, the added cost of food without food stamps, raised rent, and a good health plan to replace the medical coverage. I do not have the skills necessary to command the kind of salary that would support a family of four.

There are a lot of us who want to support ourselves and our children. We need to be able to start over, regardless of whatever mess we have left behind. I do not want to remain on ADC, but getting off welfare should not get you further in debt than when you were on it.

PREPARED STATEMENT

People who have not experienced domestic violence often say, Why doesn't she just leave? Available resources to help women in this situation are so limited that it is almost impossible for someone to get help when they need it.

Thank you.

Senator REID. We will have some questions for you in a short time.

[The statement follows:]

STATEMENT OF VICKI HECKLER

My name is Vicki Heckler. I have three children and we are victims of domestic violence. For many years, we lived in fear of my husband. We never knew from moment to moment whether we were going to be knocked about by him. The abuse got so bad that on September 15, 1989, I could not keep him from trying to kill my son. Through a counselor at my children's school, I got hold of Child Protective Services, who helped us to escape from him and enter the domestic crisis shelter. Eight months prior to this, CPS had been called by my son's teacher. The CPS worker interviewed me and the children in front of my exhusband instead of alone. We were too terrified of him to speak up about the abuse.

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I have been trying to return to Clark County Community College to get my degree in accounting. In order to make having a job feasible, I would have to make enough money to pay child care, transportation costs, the added cost of food without food stamps, raised rent, and a good health plan to replace the medical coverage. I do not have the skills necessary to command the kind of salary that would support a family of four.

There are a lot of us who want to support ourselves and our children. We need to be able to start over, regardless of whatever mess we have left behind. I do not want to remain on ADC, but getting off welfare should not get you further in debt than when you were on it.

People who haven't experienced domestic violence often say, "Why doesn't she just leave? Available resources to help women in this situation are so limited that it is almost impossible for someone to get help when they need it."

STATEMENT OF MIKE CAPELLO

Senator REID. Mike Capello?

Mr. CAPELLO. Good morning, Senator Reid. My name is Mike Capello, and I am a social service specialist with the Nevada State Welfare Division.

My testimony is on behalf of the welfare division, as well as the multiproblem families it serves. Although the Welfare Division does not have a program specifically designed for families troubled by domestic violence, many of the programs we do have are available to these families. Our experiences with families indicate a significant number of those receiving assistance from the Welfare Division have been impacted by domestic violence. This is particularly true in cases of child abuse and neglect, where there is a high correlations between those families referred for child abuse and neglect and those who are affected by domestic violence.

I will briefly discuss the available income maintenance programs, employment services, medical services, and social services, and child support enforcement programs available through the division.

The first area of programs that are available are cash assistance. They include Aid to Dependent Children and the Aid to Dependent Children-Unemployed Parent Program.

The purpose of the ADC Program is to encourage the care of dependent children in their homes or in the homes of relatives by furnishing financial and medical assistance. Clients who are eligible for ADC cash assistance are automatically eligible for Medicaid for the payment of designated medical expenses.

The FDC program is 50 percent Federal funds and 50 percent State funds.

The ADC-Up Program, or the Unemployed-Parent Program, is the result of the Family Support Act of 1988, which mandated an

ADC-Up Program implemented in all States by October 1, 1990. The unemployed parent must not, without good cause, have refused an offer of employment or training for employment within 30 days prior to receipt of aid.

We also have available an Emergency Assistance Program which provides emergency services to needy families with children who are in a temporary crisis because of a sudden reduction of income, unexpected emergency expenses, or because they are homeless. Emergency assistance pays the cost of food, medical care, shelter, and transportation for families in a crisis situation who are temporarily unable to care for their children. It is available for a maximum of 30 days during every 11 months to any eligible person. The maximum dollar amount of cash assistance is \$500, unless a greater amount is approved by the Nevada State Welfare Administrator.

Next, I would like to discuss the Food Stamp Program, which is designed to raise the nutritional level among low-income households whose limited food purchasing power contributes to hunger and malnutrition among members of the household. The funding for food stamps is 75 percent Federal and 25 percent State funds.

Next, I want to move on to the medical assistance programs. We have a Child Health Assurance Program, commonly known as CHAP, which provides Medicaid coverage/services to poor children under the age of 7, including unborns, not otherwise eligible under any other State welfare program.

Next is the Maternal Obstetrical Medical Program, commonly known as MOMS, which is a program which assists individuals eligible for Medicaid in gaining access to medical, social, educational, and other services. The program is designed to serve pregnant women without ongoing prenatal care who are Medicaid eligible and have been determined to be at risk or high risk.

We also offer family planning services, specifically supplies and/or procedures in which the primary purpose is to prevent or plan pregnancy. Family planning services include physician services, physical exams, and birth-control devices. Funding is 90 percent Federal and 10 percent State.

Finally, early and periodic screening, diagnosis, and treatment, commonly known as EPSDT, is a special title XX program which provides for early and periodic screening of persons under age 21 who are eligible for Medicaid. Services include health screenings and care, dental screenings, hearing and vision screening and care. The program is, again, 50 percent Federal funds and 50 percent State funds.

Employment services—job opportunities and basic skills is a federally mandated program providing employment, training, and support services to ADC clients. The services assist clients to become self-sufficient, thereby, reducing their long-term public assistance dependency and expenditures. JOBS services include an orientation and assessment process, development of individual employability loans, and employment and training workshops.

JOBS also provides job search requirements, educational development and skill training, community work experience, on-the-job training, job development, and job referrals.

JOBS clients, mandatory and voluntary, are eligible to receive payments for child care, transportation and special needs items, in-

cluding clothing or equipment required for employment or employment training. Again, it is a combination of Federal and State funds.

Finally, the social service program area includes Child Protective Services, which is a system of services on behalf of children who are in danger of abuse or neglect or have been abused or neglected. It includes public awareness, identification, evaluation, placement, counseling, and treatment. Child Protective Services is the entry point to the larger child welfare system. It is the child centered and family focused range of services designed to protect children and, whenever possible, maintain them in their own home.

The Welfare Division also administers the title XX social services block grant. Since October 1981, States have received title XX Federal funds for social services. Nevada uses social services block grant funds to provide, either directly or through contract, the following social services: information and referral, adult placement, basic needs services, child behavior and development services, child daycare, domestic violence services, employment services, family counseling, homemaker services, protective services for adults, protective services for children, rehabilitation services, substitute care and treatment for children, and transportation services.

Although social services are provided primarily to low-income families and individuals, services such as protective services, and information and referral are available to anyone who requires them.

Additionally, title XX dollars are used to pay for child daycare. Daycare is available to eligible ADC and SSI clients, other children at risk of abuse, neglect, or exploitation, and children in the custody and protection of the State Welfare Division.

We also have the Single-Parent Program, which provides medical care and/or maintenance for unmarried mothers planning relinquishment of their child for adoption and who are ineligible for ADC. Services include pre- and postnatal medical care for birth mothers and their children, financial assistance, counseling, and adoption arrangements.

PREPARED STATEMENT

Finally, the Welfare Division has the Child-Support Enforcement Program, which identified and locates absent parents. The Child-Support Enforcement Program can assist a mother in legally establishing the paternity. If no child support order exists, the Child Support Enforcement Program seeks to obtain a court order for support. If a support order exists, all legal remedies to enforce payment in accordance with the order are pursued.

I would be happy to address any questions that you may have.
[The statement follows:]

STATEMENT OF MICHAEL CAPELLO

RESOURCES AND SERVICES AVAILABLE

GOOD MORNING SENATOR REID AND MEMBERS OF THE SUBCOMMITTEE; I AM MIKE CAPELLO, SOCIAL SERVICE SPECIALIST/THOM REILLY, CHIEF OF SOCIAL SERVICES FOR THE NEVADA STATE WELFARE DIVISION.

MY TESTIMONY TODAY IS ON BEHALF OF THE WELFARE DIVISION, AS WELL AS THE MULTI-PROBLEM FAMILIES IT SERVES. ALTHOUGH THE WELFARE DIVISION DOES NOT HAVE A PROGRAM SPECIFICALLY DESIGNED FOR FAMILIES TROUBLED BY DOMESTIC VIOLENCE, MANY OF THE PROGRAMS WE DO HAVE, ARE AVAILABLE TO THESE FAMILIES. OUR EXPERIENCES WITH FAMILIES INDICATE A SIGNIFICANT NUMBER OF THOSE RECEIVING ASSISTANCE FROM THE WELFARE DIVISION HAVE BEEN IMPACTED BY DOMESTIC VIOLENCE. THIS IS PARTICULARLY TRUE IN CASES OF CHILD ABUSE AND NEGLECT WHERE THERE IS A HIGH CORRELATION BETWEEN THOSE FAMILIES REFERRED FOR CHILD ABUSE AND NEGLECT AND THOSE WHO ARE AFFECTED BY DOMESTIC VIOLENCE. I WILL NOW DISCUSS AVAILABLE INCOME MAINTENANCE PROGRAMS, EMPLOYMENT SERVICES, MEDICAL SERVICES, SOCIAL SERVICES AND CHILD SUPPORT ENFORCEMENT PROGRAMS.

1. CASH ASSISTANCE

A. AID TO DEPENDENT CHILDREN (ADC)AID TO DEPENDENT CHILDREN-UNEMPLOYED PARENT (ADC-UP)

THE PURPOSE OF THE ADC PROGRAM IS TO ENCOURAGE THE CARE OF DEPENDENT CHILDREN IN THEIR HOMES OR IN THE HOMES OF RELATIVES BY FURNISHING FINANCIAL AND MEDICAL ASSISTANCE. CLIENTS WHO ARE ELIGIBLE FOR ADC CASH ASSISTANCE ARE AUTOMATICALLY ELIGIBLE FOR MEDICAID FOR THE PAYMENT OF DESIGNATED MEDICAL EXPENSES. THE AFDC PROGRAM IS 50% FEDERAL AND 50% STATE FUNDS. THE ADC-UP PROGRAM IS A RESULT OF THE FAMILY SUPPORT ACT OF 1988 WHICH MANDATED AN ADC-UP PROGRAM BE IMPLEMENTED IN ALL STATES BY OCTOBER 1, 1990. THE UNEMPLOYED PARENT MUST NOT, WITHOUT GOOD CAUSE, HAVE REFUSED AN OFFER OF

EMPLOYMENT OR TRAINING FOR EMPLOYMENT WITHIN 30 DAYS PRIOR TO RECEIPT OF AID.

B. EMERGENCY ASSISTANCE PROGRAM

THE EMERGENCY ASSISTANCE PROGRAM PROVIDES EMERGENCY SERVICES TO NEEDY FAMILIES WITH CHILDREN WHO ARE IN A TEMPORARY CRISIS SITUATION BECAUSE OF A SUDDEN REDUCTION OF THEIR INCOME, UNEXPECTED EMERGENCY EXPENSES, OR BECAUSE THEY ARE HOMELESS. EMERGENCY ASSISTANCE PAYS THE COST OF FOOD, MEDICAL CARE, SHELTER AND TRANSPORTATION FOR FAMILIES IN A CRISIS SITUATION WHO ARE TEMPORARILY UNABLE TO CARE FOR THEIR CHILDREN. EMERGENCY ASSISTANCE IS AVAILABLE FOR A MAXIMUM OF THIRTY (30) DAYS EVERY ELEVEN (11) MONTHS TO ANY ELIGIBLE PERSON. THE MAXIMUM DOLLAR AMOUNT OF CASH ASSISTANCE IS \$500.00 UNLESS A GREATER AMOUNT IS APPROVED BY THE NSW ADMINISTRATOR.

2. FOOD STAMPS PROGRAM

THE PROGRAM IS DESIGNED TO RAISE THE NUTRITIONAL LEVEL AMONG LOW-INCOME HOUSEHOLDS WHOSE LIMITED FOOD PURCHASING POWER CONTRIBUTES TO HUNGER AND MALNUTRITION AMONG MEMBERS OF THE HOUSEHOLD. THE FUNDING FOR FOOD STAMPS IS 75% FEDERAL AND 25% STATE FUNDS.

3. MEDICAL ASSISTANCE

A. CHILD HEALTH ASSURANCE PROGRAM (CHAP)

CHAP PROVIDES MEDICAID COVERAGE/SERVICES TO POOR CHILDREN UNDER THE AGE OF SEVEN (7), INCLUDING UNBORNS, NOT OTHERWISE ELIGIBLE UNDER ANY OTHER STATE WELFARE PROGRAM. THE FUNDING IS 50% FEDERAL AND 50% STATE MONIES.

B. MATERNAL OBSTETRICAL MEDICAL PROGRAM (MOMS)

MOMS IS A PROGRAM WHICH ASSISTS INDIVIDUALS ELIGIBLE FOR MEDICAID IN GAINING ACCESS TO MEDICAL, SOCIAL, EDUCATIONAL

AND OTHER SERVICES. THE PROGRAM IS DESIGNED TO SERVICE PREGNANT WOMEN WITHOUT ONGOING PRENATAL CARE WHO ARE MEDICAID ELIGIBLE AND HAVE BEEN DETERMINED TO BE "AT RISK" OR "HIGH RISK."

C. MEDICAID PROGRAM

THE STATE/FEDERALLY FUNDED HEALTH CARE PROGRAM FOR INDIGENT NEVADA RESIDENTS WHO MEET ELIGIBILITY CRITERIA.

D. FAMILY PLANNING SERVICES

FAMILY PLANNING SERVICES REFER TO ITEMS, SUPPLIES AND/OR PROCEDURES IN WHICH THE PRIMARY PURPOSE IS TO PREVENT AND/OR PLAN PREGNANCY. FAMILY PLANNING SERVICES INCLUDE PHYSICIAN'S SERVICES, PHYSICAL EXAMS, PAP SMEARS, BIRTH CONTROL DEVICES INCLUDING CONDOMS, VASECTOMIES, TUBAL LIGATIONS AND COUNSELING. FUNDING IS 90% FEDERAL AND 10% STATE MONIES.

E. EARLY AND PERIODIC SCREENING, DIAGNOSIS AND TREATMENT (EPSDT)

EPSDT IS A SPECIAL TITLE XX PROGRAM WHICH PROVIDES FOR EARLY AND PERIODIC SCREENING OF PERSONS UNDER AGE 21 WHO ARE ELIGIBLE FOR MEDICAID. SERVICES INCLUDE HEALTH SCREENINGS AND CARE, DENTAL SCREENINGS AND CARE, HEARING AND VISION SCREENING AND CARE. THE PROGRAM IS 50% FEDERAL AND 50% STATE FUNDED.

4. EMPLOYMENT SERVICES

A. JOB OPPORTUNITIES AND BASIC SKILLS (JOBS)

JOBS IS A FEDERALLY MANDATED PROGRAM PROVIDING EMPLOYMENT, TRAINING AND SUPPORT SERVICES TO ADC CLIENTS. THE SERVICES ASSIST CLIENTS TO BECOME SELF-SUFFICIENT, THEREBY REDUCING LONG-TERM PUBLIC ASSISTANCE DEPENDENCY AND EXPENDITURES.

JOBS SERVICES INCLUDE AN ORIENTATION AND ASSESSMENT PROCESS, DEVELOPMENT OF INDIVIDUAL EMPLOYABILITY PLANS, EMPLOYMENT AND TRAINING WORKSHOPS.

JOBS ALSO PROVIDES JOB SEARCH REQUIREMENTS, EDUCATIONAL DEVELOPMENT AND SKILL TRAINING, COMMUNITY WORK EXPERIENCE, ON-THE-JOB TRAINING, JOB DEVELOPMENT AND JOB REFERRALS. JOBS REPLACED THE WIN-DEMO AND THE COMMUNITY WORK EXPERIENCE PROGRAM (CWEP) IS NOW A COMPONENT OF JOBS.

JOBS CLIENTS, MANDATORY AND VOLUNTARY, ARE ELIGIBLE TO RECEIVE PAYMENTS FOR CHILD CARE, TRANSPORTATION AND SPECIAL NEEDS ITEMS (I.E., CLOTHING OR EQUIPMENT REQUIRED FOR EMPLOYMENT OR EMPLOYMENT TRAINING). JOBS IS A COMBINATION OF FEDERAL AND STATE MONIES. FEDERAL PARTICIPATION RANGES FROM 50% TO 90% OF PROGRAM COSTS.

5. SOCIAL SERVICES

A. CHILD PROTECTIVE SERVICES

IS A SYSTEM OF SERVICES ON BEHALF OF CHILDREN WHO ARE IN DANGER OF OR WHO HAVE BEEN OR MAY BE ABUSED, NEGLECTED OR EXPLOITED; INCLUDING PUBLIC AWARENESS, IDENTIFICATION, EVALUATION, PLACEMENT COUNSELING AND TREATMENT.

CHILD PROTECTIVE SERVICES IS THE ENTRY POINT TO THE CHILD WELFARE SYSTEM. IT IS A CHILD-CENTERED AND FAMILY-FOCUSED RANGE OF SERVICES DESIGNED TO PROTECT CHILDREN, PREFERABLY IN THEIR OWN HOME, FROM CHILD MALTREATMENT.

B. TITLE XX SOCIAL SERVICES BLOCK GRANT

SINCE OCTOBER 1981, STATES HAVE RECEIVED TITLE XX FEDERAL FUNDS FOR SOCIAL SERVICES THROUGH A BLOCK GRANT. SOCIAL SERVICES ARE INTENDED TO HELP PEOPLE WITH VARIOUS PROBLEMS

SUCH AS: PROBLEMS RESULTING FROM NEGLECT AND ABUSE, AND FAMILY DIFFICULTIES. NEVADA USES SOCIAL SERVICES BLOCK GRANT FUNDS TO PROVIDE, EITHER DIRECTLY OR THROUGH CONTRACT, THE FOLLOWING SOCIAL SERVICES: ADULT PLACEMENT; BASIC NEEDS SERVICE; CHILD BEHAVIOR AND DEVELOPMENT SERVICES; CHILD DAY CARE; DOMESTIC VIOLENCE SERVICES; EMPLOYMENT SERVICES; FAMILY COUNSELING; HOME DELIVERED MEALS SERVICE; HOMEMAKER SERVICES; INFORMATION AND REFERRAL SERVICES; PROTECTIVE SERVICES FOR ADULTS; PROTECTIVE SERVICES FOR CHILDREN; REHABILITATION SERVICES; SUBSTITUTE CARE AND TREATMENT FOR CHILDREN; AND TRANSPORTATION SERVICES. ALTHOUGH SOCIAL SERVICES ARE PROVIDED PRIMARILY TO LOW-INCOME FAMILIES AND INDIVIDUALS, SERVICES SUCH AS PROTECTIVE SERVICES AND INFORMATION AND REFERRAL ARE AVAILABLE TO ANYONE WHO NEEDS THEM.

C. DAY CARE (TITLE XX AND JOBS PROGRAM)

CHILD DAY CARE IS A PROGRAM OF COMPREHENSIVE CHILD CARE SUPERVISION AND PROTECTION OF INFANTS, PRESCHOOL AND SCHOOL-AGE CHILDREN FOR A PORTION OF THE 24-HOUR DAY IN APPROVED FACILITIES. DAY CARE IS AVAILABLE TO ELIGIBLE ADC AND SUPPLEMENTAL SECURITY INCOME (SSI) CLIENTS, OTHER CHILDREN AT RISK OF ABUSE, NEGLECT OR EXPLOITATION, AND CHILDREN IN THE CUSTODY AND PROTECTION OF THE STATE WELFARE DIVISION. DAY CARE IS FUNDED 100% FEDERAL DOLLARS THROUGH THE TITLE XX PROGRAM.

D. SINGLE PARENT PROGRAM

THE SINGLE PARENT PROGRAM PROVIDES MEDICAL CARE AND/OR MAINTENANCE FOR UNMARRIED MOTHERS PLANNING RELINQUISHMENT OF THEIR CHILD FOR ADOPTION AND WHO ARE INELIGIBLE FOR ADC. SERVICES INCLUDE PRE- AND POST-NATAL MEDICAL CARE FOR BIRTH MOTHERS AND THEIR CHILDREN, FINANCIAL ASSISTANCE, COUNSELING AND ADOPTION ARRANGEMENTS. THE PROGRAM IS FEDERALLY FUNDED 100%.

E. TRANSPORTATION (JOBS PROGRAM)

TRANSPORTATION SERVICES ARE PROVIDED TO CLIENTS OF THE JOBS PROGRAM FOR EMPLOYMENT SEARCH OR EMPLOYMENT TRAINING.

6. CHILD SUPPORT

- A. THE CHILD SUPPORT ENFORCEMENT PROGRAM IDENTIFIES AND LOCATES ABSENT PARENTS. THE CHILD SUPPORT ENFORCEMENT PROGRAM CAN ASSIST A MOTHER IN LEGALLY ESTABLISHING THE PATERNITY. IF NO CHILD SUPPORT ORDER EXISTS, THE CHILD SUPPORT PROGRAM SEEKS TO OBTAIN A COURT ORDER FOR SUPPORT. IF A SUPPORT ORDER EXISTS, ALL LEGAL REMEDIES TO ENFORCE PAYMENT IN ACCORDANCE WITH THE ORDER ARE PURSUED.

BIOGRAPHY OF MICHAEL CAPELLO

Michael Capello is a Social Service Specialist in children's protective services. He has worked in this capacity for the Nevada State Welfare Division since August 1989. He was graduated from the University of Nevada, Reno (UNR) in 1982 with a bachelor's degree in social work and is currently enrolled in the Masters of Social Work Program at UNR.

Mr. Capello was employed by Washoe County Social Services from August 1983 to August 1989, first as a child protective service worker and then as a child protective service supervisor.

STATEMENT OF ESTELLE MURPHY

Senator REID. We will now hear from Ms. Estelle Murphy. Estelle is the director of the Domestic Crisis Outreach Center here, in Las Vegas.

Ms. MURPHY. Good morning, my name is Estelle Murphy. I am the executive director of Temporary Assistance for Domestic Crisis, TADC for short. I have been asked to address community resources and services for domestic violence.

TADC is a nonprofit agency created in 1977 to offer services specifically for domestic violence victims. The agency has operated the Domestic Crisis Shelter for battered women and their children since 1978.

The program provides 24-hour hotlines, a licensed 27-bed facility at a confidential location, and a professionally staffed counseling office. Staff are available around the clock, 7 days per week, to bring victims into the shelter home or to do counseling intervention by phone.

Once in the shelter, a family may stay from several days to several months while assisted in meeting their legal, medical, financial, vocational, and social service needs. A staff of 14 includes professional counselor, case workers, an employment counselor, and a children's counselor. A core of 20 to 25 volunteers are also active.

The agency's counseling office, offering individual and group counseling by licensed marriage and family therapists, began operation in 1982. It provides services not only to the abused partner, but also to the battering partner, many of whom are court-ordered into treatment. Court-ordered programs range from 8 weeks to 8 months.

Annually, the agency houses approximately 400 women and children, provides therapy to 300 families, and is involved in crisis intervention with close to 5,000 hotline callers.

While Temporary Assistance for Domestic Crisis is the only shelter program in southern Nevada which is specifically serving domestic violence victims, the program refers clients to hundreds of other community agencies to meet specific needs.

Several other emergency shelters exist which can accommodate women and children. These places we often refer to because our shelter program is often full. For years, referrals have been made to the Rescue Mission and the Salvation Army. Recently, another transient shelter for women and children came into existence, which is called the Shade Tree. This was organized by Catholic Community Services. In total, however, there are still less than 150 beds for homeless women available in this community.

Beyond emergency shelter, the community has a great need for transitional housing beds. One program for women and children, which was formed in 1987 and recently began offering more long-term shelter, is the Women's Developmental Center. Although serving homeless women, in general, and not domestic violence victims exclusively, women who leave TADC's shelter may also use the services. They are designed to provide subsidized rent for up to 1 year, along with employment counseling and other support services to lead to self-sufficiency.

Another local program that TADC clients are referred to for more long-term housing after shelter is Project Home, run by the Economic Opportunity Board. This program may place a family in an apartment when all other community resources have been exhausted.

More transitional housing beds are needed. Federal assistance often provides the key to survival of these programs. Most of the shelter programs I have mentioned rely on Federal moneys as part of their budget, such as funds from FEMA, the Federal Emergency Management Assistance. Others would not have come into existence without it.

TADC itself started with seed money from the Department of Justice's LEAA Program, Law Enforcement Assistance Administration. The Women's Development Center, as another example, may not have gotten off the ground without the Stewart McKinney Homeless Assistance Act.

It is not possible to touch on all the other local programs which, in assisting the homeless, also serve battered women and children. Many agencies that are not specifically designed for the homeless

also have innovative services to help in some way. Jewish Family Service, for example, has a program to match people needing homes with people looking to share their homes.

Beyond assistance for shelter needs, the Federal Government can provide assistance to domestic violence victims by improving their ability to meet basic needs. This hearing today is appropriately titled, "Domestic Violence: The Struggle for Survival."

For domestic violence victims, most of whom are battered women and children, surviving the violent home and leaving it behind means plunging into poverty and the struggle to survive day to day. Not surprisingly, many women go back to the violent partner when the struggle to provide for themselves and their children seems futile. And many women will never leave because they have no hope of being able to survive economically on their own.

The programs that most help domestic violence victims to survive are those that help them meet basic needs. Aid to Dependent Children is much too low in Nevada to be a real means of survival, even with food stamp supplements. Having subsidized housing can help, but, as you have heard, there is a long waiting list for subsidized housing. There is just not enough low-income housing.

If a woman wants to get off ADC and secure employment, there are other obstacles. Most of the positions she will qualify for will be low-paying, entry level. The few programs that exist for low-cost daycare fill up quickly and do not accommodate the hours that are often needed for these entry-level positions. Most of the woman's paycheck is absorbed by daycare costs. Therefore, more low-cost daycare is needed.

For many of these women, to break out of poverty, they need subsidized training for skilled jobs and for nontraditional jobs. There are not enough of these subsidized training programs available. These job-training programs need to provide stipends and they need to provide childcare while the people are in training.

PREPARED STATEMENT

There are many areas in which the Federal Government can provide guidance and lead the way for the States in addressing domestic violence issues, but none is more critical than insuring that these funds are available for shelters to survive and for victims to survive.

Thank you.

Senator REID. Thank you very much.

[The statement follows:]

STATEMENT OF ESTELLE MURPHY

My name is Estelle Murphy. I am the executive director of Temporary Assistance for Domestic Crisis, TADC for short. I have been asked to address community resources and services for domestic violence.

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of 14 includes professional counselor, case workers, an employment counselor, and a children's counselor. A core of 20 to 25 volunteers are also active.

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Beyond emergency shelter, the community has a great need for transitional housing beds. One program for women and children, which was formed in 1987 and recently began offering more long-term shelter, is the Women's Developmental Center. Although serving homeless women, in general, and not domestic violence victims exclusively, women who leave TADC's shelter may also use the services, which are designed to provide subsidized rent for up to 1 year, along with employment counseling and other support services to lead to self-sufficiency.

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If a woman wants to get off ADC and secure employment, there are other obstacles. Most of the positions she will qualify for will be low-paying, entry-level. The few programs that exist for low-cost daycare fill up quickly and do not accommodate the hours that are often needed by shift workers. Most of the woman's paycheck is absorbed by daycare costs. More low-cost daycare is needed. And for many of these women to break out of poverty, they need subsidized training for skilled jobs, and for non-traditional jobs that pay more. Job-training programs that provide stipends, and childcare while in training, are needed.

There are many areas in which the Federal Government can provide guidance and lead the way for the States in addressing domestic violence issues, but none is

more critical than insuring that the funds are available for shelters to survive and for victims to survive.

BIOGRAPHY OF ESTELLE MURPHY

Executive Director of Temporary Assistance for Domestic Crisis, Inc. (TADC) since 1979. Cofounder, current board member and past officer for the Nevada Network Against Domestic Violence; current board member and past officer of the Citizen Committee on Victim Rights; current member of the Clark County food and shelter board (FEMA agencies); current member of the Nevada Association of Directors of Alcohol & Drug Abuse Programs (NADADAP). Chairperson for the FEMA allocations committee.

Domestic violence trainer for the Metropolitan Police Department, Parole and Probation, and various professions.

Education: BA psychology, Rutgers University; Post-graduate studies, Rutgers Graduate School of Social Work; Masters Degree in Public Administration (MPA), UNLV.

State certified in Program Administration by the Division of Rehabilitation.

Senator REID. Vicki, I am wondering if you could tell me how long you stayed in the shelter, you and your kids.

Ms. HECKLER. For a little under 4 months.

Senator REID. Where would you have gone had you not had that shelter?

Ms. HECKLER. We did not have a spot to go.

Senator REID. How long have you lived in Nevada?

Ms. HECKLER. Eight years.

Senator REID. You have heard all these services that welfare says are available. Were they available to you?

Ms. HECKLER. I did not know about most of them. I am only just now discovering that there are certain things out there that could have helped me when I really needed them. You have to be able to qualify for a lot of them, and there are very strict guidelines. Most people do not qualify in all ways in order to be able to get involved in them.

Senator REID. You said that Child Protective Services came over and visited with you to find out what was going on, but your husband was there—and I am paraphrasing what you said—but, you and your children were afraid to say anything while he was there. Is that right?

Ms. HECKLER. Yes; it is kind of hard for somebody who has not been in the situation that we were to understand, but you find yourself make excuses, shifting the blame from the abuser to the abused.

Senator REID. Like, maybe you deserved the treatment you received. Is that what you were trying to convince yourself?

Ms. HECKLER. In this case, it was my son who had been deserving of it, and it is very difficult for somebody who is not in the situation to understand that when you are scared of somebody, you will do anything to keep from having him get mad at you, or worse, at your children.

Senator REID. Now, you were abused in addition to your children?

Ms. HECKLER. Yes; he knew that it hurt me worse to see it happen to my children and know that, if I tried to stop it, it would be worse on them.

Senator REID. Do you think, Vicki, it would have been more difficult for you if you had been abused? And further, why didn't your husband come to the shelter?

Ms. HECKLER. He did not know where it was.

Senator REID. And you or the kids did nothing to tell him where it was. Is that right?

Ms. HECKLER. That is right. As far as we knew, up until about a month ago, he did not know where we were living, and it was through a trick that he found out where we do live now.

Senator REID. And have you been bothered during that period of time?

Ms. HECKLER. No; every once in a while, when he tries to get out of either paying child support or tries to find some way to get me not to press for child support, he will call up and have a sob story of some sort—you know, call up very depressed and try to make me feel sorry enough for him that I will drop something.

Senator REID. But, you feel more secure, more confident yourself, and you are able to handle this. Is that right?

Ms. HECKLER. Yes.

Senator REID. But, the 4 months that you spent in the shelter—that helped you get your life together. Is that what you are saying?

Ms. HECKLER. It helped us to get a foot on solid ground so we could start putting it together. It will take us a long time to be able to get it together.

Senator REID. How old are your children?

Ms. HECKLER. They are 13, 12, and 10.

Senator REID. Recognizing that the shelter was very helpful to you—I know you do not want to be critical, but we are here trying to find out how these shelters can be more helpful to people. Could you give us some information on how you feel the shelter services could have been more helpful?

Ms. HECKLER. They have strict guidelines as far as health, because there is a lot of people who are there. I think the major consideration is there simply is not enough room for all the people that need to be there.

Senator REID. Those rooms are crowded, aren't they, with bunk beds and—

Ms. HECKLER. Yes; and because you come from an abusive situation, everybody that goes in there is defensive. And when you have two defensive people that are used to finding some way of shifting the blame, you get a lot of differing personalities and stuff that are in there. And you cannot always avoid having tension, but it would be a lot easier if we had the ability to get away from them. You have very little privacy.

Senator REID. You would have to go to that tiny little shelter to recognize how crowded it is. Is that right?

Ms. HECKLER. Yes.

Senator REID. And there are families sometimes placed in the same room. Is that true?

Ms. HECKLER. Yes; but, they have curtained off areas where they can have just their own stuff.

Senator REID. But, you are separated in the same room by a curtain?

Ms. HECKLER. Yes.

Senator REID. Mike, you spent 10 minutes rattling off all the services available, but, realistically, they are not available because there are strict guidelines that prohibit your offering those services to a lot of people. Isn't that right?

Mr. CAPELLO. That is correct, Senator. As you know, there are a wide variety of both Federal and State regulations that mandate certain requirements for clients to be eligible for the programs, and, of course, additionally, with the rapid growth in the State, we have seen many of the programs become overwhelmed with applicants. And the time away that a client must wait to find out if they are approved has grown just because of the sheer volume of number of individuals within the State that have come to apply for assistance.

Senator REID. We are here today talking about battered women, domestic violence. With all these programs that you offer to the public, welfare public, would you give me an idea which of those programs the Federal Government could be more responsive to that relate to this problem?

Mr. CAPELLO. I would think that one of the main programs that provide basic needs is the ADC and the Medicaid Program, and the requirements for eligibility, I would think, could be made more simple so that individuals could qualify easier—reduce the kind of application process that one must go through.

Senator REID. A question came up last night at a town hall meeting that I held regarding dental services available to children and adults. Do either you or Estelle know what services are available relating to dental for children and adults?

Mr. CAPELLO. I do know that screening and dental care are available. One of the critical issues that we are finding is finding providers that are willing to accept Medicaid. This is becoming an increasing issue.

Senator REID. Because it does not provide enough money for the services?

Mr. CAPELLO. Exactly. And it is often not worth it for the provider to go through the process, the billing process, for what they wind up getting paid for their services——

Senator REID. I see.

Mr. CAPELLO [continuing]. So it is a very——

Senator REID. But, they are available?

Mr. CAPELLO. They are available.

Senator REID. For children and adults?

Mr. CAPELLO. For children and adults.

Senator REID. Estelle, you tell me what services you would like to be able to offer that you cannot now.

Ms. MURPHY. Well, obviously, the biggest need is for more beds. We only serve about one-fourth of the people that we could be serving in shelter, and that is after screening out for people who have other types of resources.

If we could meet the emergency shelter needs, then the next thing we would need is more transitional housing beds. If there were more moneys available for long-term—I am saying now 1 year or 1½ years.

Senator REID. Somebody like Vicki is an example. Is that right?

Ms. MURPHY. Yes; it is very difficult. The shelter only gives you a start, and the next year or two is critical, in terms of whether that woman will be able to survive.

Senator REID. Do some of your clients get such a hassle, for lack of a better word, go back to the situation where—

Ms. MURPHY. Yes.

Senator REID. That happens lots of times, doesn't it?

Ms. MURPHY. It happens much more than it should. The other thing that we would like to see is—I do not know in what way the Federal Government can encourage States to allocate toward ADC programs, but the allocations that they receive are too small.

In the job-training programs that Mike talked about, there are not enough programs and well-enough coordinated programs, in terms of childcare and stipends being provided so that people can actually gain some good employment from these programs.

Senator REID. Several years ago, we held a hearing here, in Las Vegas, dealing with childcare, and we heard a number of stories similar to yours, Vicki—where:

I do not want to be on welfare, but what do I do? Leave my children unattended or stay on welfare? Because, if I hire a baby sitter, I cannot afford—it is not worth working then. Baby sitters make more money than I make.

And hopefully, with this new childcare bill there will at least be a recognition that there is a need to help low-income families, and, even though the childcare bill is not the one that I wanted, it is a step in the right direction. I hope there will be moneys forthcoming for people like you.

I appreciate very much each of you coming.

Senator REID. Thank you each very much, and, especially you, Vicki, for being as courageous as you are. I repeat, we try a lot to get a number of people like you to come forward. I hope it does not cause you any problem. Thank you very much.

We are going to take a 5-minute recess now for obvious reasons. [Laughter.]

[A brief recess was taken.]

STATEMENTS OF:

RICHARD GARCIA

DR. EVELYN J. HALL, SUPERVISING THERAPIST, TADC OUTREACH COUNSELING PROGRAM

SUSAN MEUSCHKE, EXECUTIVE DIRECTOR, NEVADA NETWORK AGAINST DOMESTIC VIOLENCE

HELEN FOLEY, ASSOCIATION OF JUNIOR LEAGUES, LAS VEGAS

Senator REID. The final panel today is entitled, "Prevention and Education." I will indicate to the people here in the audience that when we finish this panel—at all the hearings that I have held, I leave some time at the end. If people want to say anything for the record, they are sure welcome to do that.

The first witness is named Rick. Rick, as I indicated when I talked to Vicki a while ago about the courage she had—Rick certainly has lots of courage to come here and acknowledge that he has been a batterer. It takes a lot of courage, and so I appreciate very much your being here.

In addition to Rick, we have Dr. Evelyn Hall, from the Temporary Assistance for Domestic Violence here, in Las Vegas. We have

Sue Meuschke, Nevada Network Against Domestic Violence and Helen Foley, from the Association of Junior Leagues, in Las Vegas, former State legislator.

STATEMENT OF RICHARD GARCIA

The first witness today will be Rick.

Mr. GARCIA. Thank you, Senator.

My name is Richard Garcia, and I am a voluntary participant in the men's anger management group that is offered through the TADC Program.

When I was asked to participate in this morning's presentation, naturally my first response was fear.

Senator REID. Rick, it might be easier for you just to pull that thing out of there and hold it. You are taller than most people, and you are uncomfortable there. So that might be easier for you.

Mr. GARCIA. I will begin again. When I was asked to participate in this morning's presentation, naturally, my first response was fear. Dorothy and Craig explained the nature of this meeting, and I fully understood the risks I would be taking regarding my personal anonymity. I am thankful for the opportunity to show my gratitude and support of this program by sharing my experience.

I have been married to my third wife for 1½ years, and we have three children, two from previous marriages. I am a recovering drug addict, and I have been clean for 4 years. My first two marriages had violence in them, and I had always associated this with the alcohol and drug use. My current wife and I have been in marriage counseling for 1 year now. It has been through these sessions that I was referred to anger management classes.

At first, I thought this suggestion was ridiculous because I have not struck my wife, but I agreed to go for her satisfaction. I called the domestic crisis shelter and asked to get involved in the program. They told me there was a waiting list, and I remember thinking how funny that sounded. I could not help but wonder how somebody dealt with their problem while waiting for an opening.

I was called about 4 weeks later and had my entrance evaluation. I then attended the men's group. There were 10 men, including myself and 2 counselors. We sat in a circle, and one of the counselors asked if there had been any violence since last week.

One by one, the men started sharing difficulties, triumphs, and feelings. It was very informal, which made being there a little more comfortable. I heard guys talk about anger, time-outs, escalation, and responsibility. The counselors were quick to point out that anger is no one else's fault.

It was in this first class that I realized my own misconception on the definition of abuse. I am learning that abuse can be verbal and emotional, as well as physical, and that most abusers are not aware of the damage their words and actions do.

Earlier, I stated that I have not struck my wife—yet—but I have raised my voice, stood above her, invaded her space, and kept her from leaving the room when I have had something to say. All these actions scared her. When the children witness these scenes, they are not only scared, but I believe that they are seeing a bad exam-

ple that, without intervention, may be viewed as normal later in life.

It is startling to realize that I learned these behaviors early in life, probably in childhood. It is hard to admit that these behaviors are actually defensive and stem from fear and insecurity, but this is the truth. It is obvious that I need a solution, not a cure.

PREPARED STATEMENT

The solution is temporary assistance for domestic crisis. So far, what I have learned from the counselors and the men is that there are alternatives to violent reactions that have payoffs, such as reestablishing trust between my wife and myself. I have the opportunity to stop the cycle in our generation and help our children form healthier attitudes toward relationships.

I am thankful there was assistance for me and would like to see the program not only continue but expand, as well.

Thank you.

Senator REID. Thank you very much. We will have some questions shortly.

[The statement follows:]

STATEMENT OF RICHARD GARCIA

When I was asked to participate in this morning's presentation, my first response was fear. Dorothy and Graig explained the nature of this meeting and I fully understood the risks I'd be taking regarding my personal anonymity. I'm grateful for the opportunity to show my gratitude and to support this program by sharing my experience.

I have been married to my third wife for a year and a half and we have three children. I'm a recovering drug addict and have been clean for 4 years. My first two marriages had violence in them and I had always associated this with alcohol and drug use. My current wife and I have been in marriage counseling for a year now. It has been through these sessions that I was referred to anger management classes. At first I thought this suggestion was ridiculous because I haven't struck my wife. But I agreed to go for her satisfaction. I called the domestic crisis shelter and asked to get involved in the program. They told me there was a waiting list and I remember thinking how funny that sounded.

I wondered how someone dealt with their problem while waiting for an opening. I was called about 4 weeks later and had my entrance evaluation. I then attended the men's group. There were 10 men, including myself, and two counselors. We sat in a circle and one of the counselors asked if there had been any violence since last week. One by one guys started sharing difficulties, triumphs or feelings. It was very informal which made being there a little more comfortable. I heard guys talking about anger, time-outs, escalation, and responsibility. The counselors were quick to point out that anger is no one else's fault. It was in this first class that I realized my own misconception on the definition of abuse. I'm learning that abuse can be verbal and emotional as well as physical, and that most abusers aren't aware of the damage their words and actions do. Earlier, I stated that I haven't struck my wife, yet. But I have raised my voice, stood above her, invaded her space, and kept her from leaving the room when I've had something to say. All these actions scare her. When the children witness these scenes, they are not only scared, but I believe they're seeing a bad example, that without intervention, may be viewed as normal later in life.

It's startling to realize I learned these behaviors early in life, probably in childhood. It's hard to admit that these behaviors are actually defensive and stem from fear and insecurity, but this is the truth. It's obvious that I need a solution not a cure.

The solution is temporary assistance for domestic crisis. So far, what I've learned from the counselors and the guys, is that there are alternatives to violent reactions that have payoffs, such as reestablishing trust between my wife and myself. I have the opportunity to stop the cycle in our generation and help our children form

healthier attitudes toward relationships. I'm thankful there was assistance for me and would like to see the program not only continue but expand as well.

STATEMENT OF DR. EVELYN J. HALL

Senator REID. Dr. Evelyn Hall.

Dr. HALL. Good morning, Senator Reid.

I am the supervising therapist for the TADC Outreach Counseling Program and also a licensed marriage and family therapist in private practice.

Our Outreach Counseling Program began in June 1982. Throughout our years of operation, materials from other domestic violence programs had been acquired, studied, and incorporated into our program, enabling us to offer up-to-date treatment tailored to this specific problem. As our name attempts to indicate, our services are available to victims of both sexes, but our experience, overwhelmingly, has been that the victims who seek our services are usually women and their batterers are usually men. In our almost 9 years of operation, we have provided therapeutic services to approximately 2,500 women and men involved in violent relationships.

Stated quite simply, our primary mission is to eliminate violence in domestic relationships. At the acute-crisis level, we offer skilled telephone intervention during traditional working hours, with a 24-hour hotline as backup. More than one-half of these calls lead to continuing counseling for women and men who either are currently in or who have previously experienced a battering relationship.

Our staff consists of eight contract therapists, six licensed marriage and family therapists, and two masters' level interns nearing completion of their licensure requirements. The efforts of our dedicated, highly qualified staff has resulted in a comprehensive, eclectic approach to the problem of domestic violence.

We operate upon certain basic concepts:

One, once violence begins, it tends to recur and to escalate in terms of frequency and intensity with lethal potential;

Two, battering is a learned behavioral expression of anger, but it can be unlearned and replaced by learning new behaviors;

Three, the batterer is always responsible for his violence;

Four, violent responses are acceptable only in self-defense when one's life is threatened; and

Five, the victim cannot be to blame or responsible for the batterer's violence.

Education is a major component of our program, beginning with the first session and running throughout the course of treatment. Thus, during every client's initial counseling, called intake, our orientation to domestic violence is presented.

This orientation includes a definition of battering, a description of the types of battering, an explanation of the cycle of violence, and a behavioral profile of the battering personality. An assessment of the lethality of the client's situation on a scale of 1 to 5 is made during the first session. The intake session also allows the therapist to screen for individuals who may require services beyond the scope of our agency, for example, medical treatment or hospitalization.

Because violence in a relationship is potentially lethal, we do not offer or recommend couples counseling until violence has been eliminated. Both individual and group counseling are made available to women clients, and the group counseling offers necessary support and validation for battered women, as well as a safe environment for them to test new skills and to express themselves freely. Both individual and group therapy for battered women address such typical concerns as self-esteem, assertiveness, communication skills, decisionmaking and goal-setting skills, career and job goals, and parenting skills.

Most women clients exhibit symptoms of battered woman syndrome, which is a specific form of post-traumatic-stress disorder, and, therefore, they benefit from stress management training, as well as other kinds of therapy.

When we opened the Outreach Office in 1982, we recognized at that time the urgent need to offer therapy to batterers as a form of prevention not only for the batterers, but also for future generations. Research indicates that today's batterers often grew up in violent homes. As recommended by most of the research material, men in our program are required to participate in group therapy, unless their work schedules make this impossible. And then, individual therapy is made available to those men.

Our men's groups are led by cotherapists, one male and one female. The men's groups combine education, behavioral training, impulse control, and stress management, as well as insight-oriented therapies. As we have grown, we have developed a cooperative interface with some parts of the court system. Due to court referrals, our male clientele has more than doubled since 1982.

While we recognize the critical need for treatment of children in violent homes, our ability to provide such treatment has been limited by insufficient funding for the necessary staff and facilities. These children usually suffer symptoms of post-traumatic-stress disorder, often to the extent that their normal developmental tasks are interrupted or arrested. Without immediate, appropriate intervention, many of these children will grow up to be batterers or victims, thus perpetuating the cycle of violence.

We continue to grow and learn with our program, as we struggle with the malignancy of domestic violence. There is much left to do. For the past 6 months, we have consistently carried a 3-week waiting list of clients waiting for service.

You have asked, "What can the legislature do to assist us with our struggle?"

One, support increased funding for counseling with members of violent families, including the victims, the batterers, and the children;

Two, support inclusion of domestic violence information in school curricula. At a minimum, this should be required in high schools, and we recommend it also be available in junior high and elementary schools—

Senator REID. What is that again? What is that?

Dr. HALL. Support domestic violence information in the school curricula.

Senator REID. Do you know if that is done anyplace?

Dr. HALL. No; I do not, but I think it needs to be.

Senator REID. OK.

PREPARED STATEMENT

Dr. HALL. Three, pass legislative sanctions against domestic violence as a foundation for consistent law enforcement and appropriate judicial responses;

Four, encourage adoption of this program by some cabinet member or other prominent political figure who could make this issue a matter of consistent public focus. And you have sort of adopted it, at least, for today; and

Five, continue what you are doing here today. This hearing is a most valuable contribution in the struggle against domestic violence.

Senator REID. Thank you very much.
[The statement follows:]

STATEMENT OF EVELYN J. HALL

The Outreach Counseling Program of Temporary Assistance for Domestic Crisis began in June 1982. Throughout our years of operation, materials from other domestic violence programs have been acquired, studied and incorporated into our program, enabling us to offer up to date treatment, tailored to this specific problem. As our name attempts to indicate, our services are available to victims of both sexes. Our experience has been that the victims who seek our services are usually women and their batterers are usually men. In our almost 9 years of operation, we have provided therapeutic services to approximately 2,500 women and men involved in violent relationships.

Stated quite simply, our primary mission is to eliminate violence in domestic relationships. At the acute crisis level, we offer skilled telephone intervention during traditional working hours, with a 24-hour hotline as back-up. More than half these calls lead to continuing counseling for women and men who either are currently in or have previously experienced a battering relationship.

Our staff consists of eight contract therapists—six licensed Marriage and Family Therapists and two masters' level interns nearing completion of licensure requirements. The efforts of our dedicated, highly qualified staff has resulted in a comprehensive, eclectic approach to the problem of domestic violence. Basic concepts to our program include: (1) once violence begins, it tends to recur and to escalate in terms of frequency and intensity with lethal potential; (2) battering is a learned behavioral expression of anger, but it can be "unlearned" and replaced by learning new behaviors; (3) the batterer is always responsible for his violence; (4) violent responses are acceptable only in self-defense when one's life is threatened; (5) the victim cannot be to blame or responsible for the batterer's violence.

Education is a major component of our program, beginning with the first session and running throughout the course of treatment. Thus, during every client's initial counseling session (intake), an orientation to domestic violence is presented. This orientation includes a definition of battering, description of types of battering, explanation of the cycle of violence, and a behavioral profile of the battering personality. An assessment of the lethality of the client's situation on a scale of 1 to 5 is made during the first session. The intake session also allows the therapist to screen for individuals who may require services beyond the scope of our agency, e.g., medical treatment or hospitalization.

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for future generations. Research indicates that today's batterers often grew up in violent homes. As recommended by most of the research materials, men in our program are required to participate in group therapy, unless their work schedules make this impossible. Then individual therapy is made available to those men. Our men's groups are led by cotherapists—one male and one female. The men's groups combine education, behavioral training, impulse control, and stress management, as well as insight-oriented therapies. As we have grown, we have developed a cooperative interface with some parts of the court system. Due to court referrals, our male clientele has more than doubled since 1982.

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What can the legislature do to assist us with our struggle?

(1) Support increased funding for counseling with members of violent families, including victims, batterers, and children.

(2) Support inclusion of domestic violence information in school curricula. At a minimum, this should be required in high schools; we recommend it also be available in junior high and elementary schools as a measure of primary prevention.

(3) Pass legislative sanctions against domestic violence as a foundation for consistent law enforcement and appropriate judicial responses.

(4) Encourage "adoption" of this problem by some cabinet member or other prominent political figure, who could make this issue a matter of consistent public focus.

(5) Continue what you are doing here today; this hearing is a valuable contribution in the struggle against domestic violence.

BIOGRAPHY OF EVELYN J. HALL

EDUCATION

1987—Ph.D., American Institute of Hypnotherapy, Santa Ana, CA.

1979—M.S., University of Nevada, Las Vegas, Nevada; Marriage and Family Therapy; Counseling Psychology.

1968-69—Graduate Studies, Kansas State University, Manhattan, Kansas; Counseling.

1966—M.A., Ohio State University, Columbus, Ohio; English.

1964—B.A., Southern Illinois University, Carbondale, Illinois; English.

PROFESSIONAL EXPERIENCE

September 1981-present—Psychotherapist and consultant, private practice, Las Vegas, NV.

Fall 1979—Permanent substitute, Clark County School Systems.

July 1982-86—Instructor, Continuing Education, Courses Sponsored by the Department of Nursing, UNLV: Family Systems Interactions: Female Sexuality; Stress After 40; Helping Parents and Children Cope with Divorce/Separation; Families in Crisis; Women and Violence.

June 1982-continuing—Consultant and Program Coordinator, Outreach Office, Temporary Assistance for Domestic Crisis.

October 1982-85—Staff Consultant, Family Planning Institute.

October 1982-89—Recipient of Grant for Pilot Study of Group Therapy for Victims of Violent Crime, Citizen Committee for Victim Rights.

1988—Consultant, Viet Nam Veterans Center.

February 1980-September 1981—Counselor, Full Clinical Responsibilities, Las Vegas Mental Health Center, 6161 W. Charleston Blvd., Las Vegas, Nevada.

Summer, 1978—Public Service Intern, Children's Behavioral Services, 6161 W. Charleston Blvd., Las Vegas, Nevada.

1967-69—Counselor/Writer, Kansas State University, Manhattan, Kansas (National Institute of Mental Health Grant, Study of Human Development).

STATE CERTIFICATIONS

Licensed Marriage and Family Therapist.
 Certified Substance Abuse Counselor (Alcohol and Drugs).

PROFESSIONAL ORGANIZATIONS

American Association of Marriage and Family Therapists (Clinical member).
 Member of Planning Committee to Organize Nevada Marriage & Family Therapist.
 American Association of University Women.
 Phi Kappa Phi Honor Society.
 Greater Las Vegas Chamber of Commerce and Women's Council.
 National Organization for Victim Rights (NOVA).
 Nevada Arbitration Association.

PRESENTATIONS

Post-Traumatic-Stress disorder, Gateway Apparel Employees, 1990.
 Domestic Violence, American Postal Workers Convention, 1990.
 Post-Traumatic-Stress Disorder, Nursing Staff, Cheyenne Residential Center, 1990.
 Domestic Violence, Child Custody Department, District Court, 1989, 1990.
 Doctors' Wives and Stress, Clark County Medical Society Auxiliary, 1989.
 The 80's Woman & Stress, Republican Women's Club, 1988.
 Adult Children of Alcoholics & Co-Dependency, Bureau of Alcohol & Drug Abuse, 1987, 1990.
 Improving Employee Performance, Chamber of Commerce Business A.M., 1986.
 Time Management Training, Clark County School District, 1986.
 Treatment for Male Batterers, Governor's Conference on Victim Rights, 1986.
 Domestic Violence, Lower Court Services, 1985.
 Assertiveness Training, Clark County Community College, 1985.
 Post-Traumatic-Stress Disorder, Community Action Against Rape, 1985-87.
 Domestic Violence, Nellis AFB Squadron Commanders, 1985.
 Affidavits & testimonies given as expert witness in numerous cases (DSM-III).

PUBLICATIONS

Column in Vegas VIP Publications, 1986-87.
 The Teaching-Family Approach: A Developing Model for Quality Control in Residential Treatment, Published in "Nevada Personnel & Guidance Association," Vol. 2, No. 2, March 1981.
 "Shopping With Children," with Rusty Clark, 1980.

PROFESSIONAL TRAINING

Men, Intimacy, and Co-Dependence, Phoenix, AZ, 1990.
 Annual Conference on Co-Dependency, Scottsdale, AZ, 1990.
 Healing the Inner Child, Pasadena, CA, 1989.
 Advanced Guided Imagery, Health Applications, Newport Beach, CA, 1989.
 Play Therapy, Las Vegas, NV, 1989.
 Teaching Nurturing Skills to Parents & Children, Las Vegas, NV, 1988.
 Concepts in Co-Dependency, Las Vegas, NV, 1988.
 Advanced Family Therapy, New Orleans, LA, 1988.
 Treating the Sexually Abused Child, Las Vegas, NV, 1986.
 Ericksonian Hypnosis, Phoenix, AZ, 1986.
 Adult Children of Alcoholics, Los Angeles, CA, 1986.
 Cognitive Behavior Modification, San Francisco, CA, 1986.
 Recent Advances in Reality Therapy, Las Vegas, NV, 1986.
 Rational Emotive Therapy, Las Vegas, NV, 1985.
 Cocaine Abuse & Treatment, Las Vegas, NV, 1985.
 Performax Consultant Certification, San Diego, CA, 1985.
 Stress Management for Professionals, Las Vegas, NV, 1985.
 American Association of Sex Educators, Counselors & Therapists Regional Conference, 1984.
 Employee Assistance Program Consulting, San Jose, CA, 1984.
 Sexual Assault Workshop, Las Vegas, NV, 1983.
 Mediation & Evaluation in Child Custody Cases, Los Angeles, CA, 1983.
 Danger, Crisis, Hidden Opportunity, Las Vegas, NV, 1983.
 Hypnosis & Guided Imagery, Los Angeles, CA, 1983.

Teaching & Treating Children, Adolescents & Parents, Las Vegas, NV, 1983.
 Family Therapy in the 80's, Blending Therapy & Practice, Dallas, TX, 1982.
 Helping Families Change, Los Angeles, CA, 1982.
 Kaleidoscopes of Family Systems, Las Vegas, NV, 1981.
 Strategic Family Therapy, San Diego, CA, 1981.

STATEMENT OF SUSAN MEUSCHKE

Senator REID. We will now hear from Sue Meuschke.

Ms. MEUSCHKE. My name is Susan Meuschke, and I am the executive director of the Nevada Network Against Domestic Violence. This is a Statewide coalition of programs and individuals throughout the State of Nevada who are working to end violence in the home.

As both a staff member of the network and as a volunteer at a local domestic violence program, I have spent the last 6 years learning from the experts—learning from battered women and children about this terrible tragedy. We have envisioned a day when we can close up all the shelters, hang up all the hotlines, and know that no more homes will be destroyed by violence.

Unfortunately, last year, thousands of Nevada families found that streets were still safer than their own homes. Last year, law enforcement agencies, according to reports filed with the Nevada Department of Motor Vehicles and Public Safety, responded to more than 5,000 throughout this State. Domestic violence programs provided direct services to more than 11,000 victims.

I am here today to speak on behalf of the domestic violence movement in this State, a movement which began in the midseventies. It is a grassroots movement with little or no support or resources, fueled, for the most part, by the strength and determination of survivors; a movement that develops services for victims, including hotlines and emergencies; and which also provided a forum to speak out about this terrible tragedy to anyone who would listen.

These efforts have been extraordinary. Over the last 20 years, a problem that has hidden behind closed doors for far too long a time has become a part of our national consciousness. Laws have been enacted that seek to protect the victim and hold the perpetrator accountable. We have a network of hotlines and shelters throughout this country that provide safety and support for battered women and their children. Many voices have joined the chorus through speaking out against the violence and searching for workable solutions to the problems.

But, as we congratulate ourselves on the work that has been done, let us not forget why we are here. We are here today because survivors have had the strength and courage to speak out, to organize, and to create alternatives to the violence. However, as we listen today to just one voice, let us also think about those survivors who are not here. They are not here because it still is not safe to either get out or to speak out.

It is time to focus national attention and resources on the epidemic that threatens families all over this country. It is also time to realize that just saying no is not enough. A national agenda that condemns domestic violence but provides no real alternatives will fail.

Domestic violence cannot and will not be prevented by arresting every batterer or sheltering every victim. We must address the fact that we, as a society, bear responsibility for this problem. If a lack of affordable housing, healthcare, or childcare traps some victims in an escalating cycle of violence; if substance abuse, unemployment or a legacy of family violence provide abusers with an excuse to choose violence, then we must address these problems as well.

Senator Reid, as a U.S. Senator and as a member of the Labor, Health and Human Services Appropriations Subcommittee—you have the means to increase funding for domestic violence programs, programs that save lives and prevent further violence by providing alternatives—services which are in jeopardy. Our resources are far exceeded by the demand.

You have the means to support and strengthen laws that protect victims and hold the perpetrator accountable. Training for law enforcement and the court is desperately needed.

You have the means to advocate for increased public education efforts on all levels. While awareness has certainly grown, many myths still exist. Victims are still being blamed for the violence. Public education and training is woefully inadequate when measured against the scope and size of the problem. We must continue to reach out to the victims and their families, but we must also begin to provide education about alternatives to violence for both adults and children.

I am going to keep this to 5 minutes, and I have barely scratched the surface. I cannot provide you an answer for preventing domestic violence nor can I provide you with a program for educating the public.

PREPARED STATEMENT

What I have tried to do is provide you with some perspective of what has been done and is being done today to address this problem and to ask you to join that effort. This is a struggle not only to understand and to act, but it is also a struggle to do more than just survive.

Thank you.

[The statement follows:]

STATEMENT OF SUSAN MEUSCHKE

My name is Susan Meuschke and I am the executive director of the Nevada Network Against Domestic Violence the Statewide coalition of programs and individuals throughout the State of Nevada who are working to end violence in the home.

As both a staff member of the Network and a hotline volunteer at a local domestic violence program I have spent 6 years working with battered women and their children being educated by the real experts. Envisioning a day when we can close up all the shelters, hang up all the hotlines, and know that no more homes will be destroyed by violence.

Unfortunately last year thousands of Nevada families still found that the streets were safer than their own homes. Last year law enforcement agencies throughout the State responded to more than 5,000 domestic calls and domestic violence programs provided direct services to more than 11,000 victims.

I am here today to speak on behalf of the domestic violence movement. A movement which began in the midseventies. A grassroots movement with little or no resources or support—fueled by the strength and determination of survivors of domestic violence. A movement that developed services for victims—hotlines and emergency shelters and provided a forum to speak out about this terrible tragedy to anyone who would listen.

These efforts have been extraordinary. In less than 20 years a problem that has hidden behind closed doors for much too long a time has become a part of our national consciousness. Laws have been enacted that view domestic violence as a crime, that seek to protect the victim and hold the perpetrator accountable. We have a network of hotlines and shelters throughout this country that provide safety and support for battered women and their families. Many voices have joined the chorus—speaking out against the violence and searching for workable solutions to the problem.

We can have pride in our collective accomplishments but let us not forget why we're here.

We're here today because survivors have had the strength and courage to speak out, to organize and to create alternatives to the violence. However, as we listen to some of those voices today let us also think about the survivors that aren't here. They aren't here because it still isn't safe, either emotionally or physically, to get out or to speak out.

It is time to focus national attention and resources on the epidemic that threatens families all over this country. It is also time to realize that "just saying no" isn't enough. A national agenda that condemns domestic violence but provides no real alternatives will fail.

Domestic violence cannot and will not be prevented by arresting every batterer or sheltering every victim. These are emergency measures that save lives not the solution to the problem. We must address the fact that we as a society also bear responsibility for this problem. If a lack of affordable housing, healthcare and childcare trap some victims in an escalating cycle of violence; if substance abuse, unemployment or a legacy of family violence provide abusers with an excuse to choose violence, then we must address those problems as well.

Senator Reid, as a United States Senator and a member of the Labor, Health and Human Services Appropriations Subcommittee, you have the means to increase funding for domestic violence programs. Programs that save lives and prevent further violence by providing alternatives. Services for victims of domestic violence and their families are in jeopardy. The demand far exceeds our resources.

You have the means to support and strengthen laws that protect the victim and hold the perpetrator accountable. Training for law enforcement and the courts is desperately needed.

You have the means to advocate for increased public education efforts on all levels. While awareness has grown many myths still exist. Victims are being blamed for the violence. Public education and training is woefully inadequate when measured against the scope and size of the problem. We must continue to reach out to victims and their families and provide education about alternatives to violence for both adults and children.

My 5 minutes are almost up and I have barely scratched the surface. I have not provided the answer for preventing domestic violence or a program for educating the public about the serious and devastating problem of domestic violence. Instead I have tried to provide you with a perspective of the work that has been done and is being done to accomplish both. I would like also to ask you to join with us in this struggle to understand, to act and to do more than just survive.

STATEMENT OF HELEN FOLEY

Senator REID. Helen Foley.

Ms. FOLEY. Senator Reid, on behalf of the Junior League of Las Vegas, I congratulate you for conducting hearings in Nevada on the important issue of domestic violence.

According to former U.S. Surgeon General C. Everett Koop, domestic violence is the number one health threat to women in America. Research suggests that wife-beating results in more injuries that require medical treatment than rape, auto accidents, and muggings combined.

Each year, more than 1 million women seek medical assistance for injuries caused by battering, and abused women comprise approximately 20 percent of women seeking hospital emergency medical services. Quite often, all too often, these women are pregnant.

In addition, women often remain trapped in abusive relationships simply because of economics. A woman with children who leaves an abusive partner could very well face poverty. Statistics illustrate this point.

As we have noted here, in the first year after divorce, a woman's standard of living drops by 73 percent, while a man's improves by an average of 42 percent. One-half of white, female-headed households that live in poverty do so because of a change in household composition, such as divorce. The poverty rate in female-headed households is five times that of married families. These statistics illustrate the need for public education, prevention, and outreach programs.

Almost 11 years ago, in Nevada, a movement began. It was spearheaded by some wonderful women who wanted to bring attention to domestic violence and place it at the forefront of public scrutiny. From that meeting emerged legislation to fund domestic violence centers. Senators Sue Wagner and Jean Ford cosponsored legislation adding \$5 to every marriage license fee in Nevada to fund centers for domestic violence. I was privileged, as an assemblywoman, to actively participate in the passage of that bill.

Nevada has come a long way in providing new legislation to deal with victims of domestic violence and child abuse. Every session of the legislature brings better laws. In 13 Nevada communities, domestic violence shelters and hotlines have sprung up. The Nevada Network Against Domestic Violence is doing a fine job.

The Junior League of Las Vegas, in conjunction with its sister organization in Reno, has assisted over the years in raising legislative and public awareness to the needs and plight of Nevada's children and women. The award-winning publications, "Focus on Nevada's Children," published in 1985, and "Focus on Nevada's Women," 1989, are excellent tools in delivering this important message.

The Nevada Legislature is doing its job. Of course, there is never enough money for ADC funding, but good laws have been and are being enacted. The problem is with the public attitudes which contribute to these crimes. The criminal justice system quite often fails in its handling of domestic violence.

Domestic violence is real violence. We must arrest the men who batter. Women who are beaten do not ask for it. They should not be made to feel responsible. All public agencies in the criminal justice system must be trained and must adopt uniform policies and philosophies in dealing with domestic violence.

Last month, the Junior League of Las Vegas, in conjunction with the Victim's Assistance Center, sponsored an all-day seminar to train law enforcement officers, attorneys, judges, and social workers on how to deal with victims of domestic violence. It was very well attended and extremely worthwhile.

Programs such as this should be an ongoing educational and training requirement for all of these agencies, but no one in Government was willing to pay for this seminar. The Junior League of Las Vegas has to step in to fill this unmet need. This is one area where Federal assistance would be most valuable.

All front-line police must receive better training in the area of domestic violence. More than one-half of all calls for police help at

night are from battered women. There has been a reluctance for police to get involved in family fights or to arrest the offender. There is the perception by police officers, at times, that if an arrest is made, it may backfire and the offender will return and inflict more harm.

According to the results of a study done the National Institute of Justice, when an abuser was arrested, repeated violence was dramatically reduced.

There is much to be done to educate our police, our judges, and all those in the criminal justice system. It is also important to educate the general public and our corporate citizens.

Much can be done at the corporate level to deal with family violence. Many innovative corporate programs have been established nationwide, such as seminars, referral services, and professional counseling for employees to address this issue. Family violence costs employers millions of dollars annually in lower productivity, turnover, absenteeism, and excessive use of medical benefits.

It is the Junior League of Las Vegas' opinion that the Federal Government should not create new bureaucracies to deal with domestic violence. National focus on the issue should be on a commitment to fund educational and prevention programs, finance research projects, and to provide easily accessible matching funds and grants for shelters.

In addition, at the national level, a program should be established to assist States and localities in developing law enforcement and prosecution strategies to address violent crimes against women and children.

PREPARED STATEMENT

On behalf of the Junior League of Las Vegas, I thank you for the opportunity to address your subcommittee today and commend you for investigating and, hopefully, acting upon this crucial issue.

Senator REID. Helen, I appreciate very much your testimony.
[The statement follows:]

STATEMENT OF HELEN FOLEY

Senator Reid, on behalf of the Junior League of Las Vegas, I congratulate you for conducting hearings in Nevada on the important issue of domestic violence.

According to former U.S. Surgeon General C. Everett Koop, domestic violence is the No. 1 health threat to women in America. Research suggests that wife-beating results in more injuries that require medical treatment than rape, auto accidents and muggings combined.

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In addition, women often remain trapped in abusive relationships simply because of economics. A woman with children who leaves an abusive partner could very well be facing poverty. Statistics illustrate this point.

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Last month, the Junior League of Las Vegas, in conjunction with the Victims Assistance Center sponsored an all day seminar to train law enforcement officers, attorneys, judges, and social workers on how to deal with victims of domestic violence. It was very well attended and extremely worthwhile.

Programs such as this should be an ongoing educational and training requirement for these agencies. But no one in government was willing to pay for this seminar. The Junior League stepped in to fill an unmet need.

This is one area where Federal assistance would be most valuable. All front line police must receive better training in the area of domestic violence. More than half of all calls for police help at night are from battered women. There has been a reluctance for police to get involved in family fights or to arrest the offender. There is the perception by police officers that if an arrest is made it will backfire, and the offender will return and inflict more harm. According to results of a study done by the National Institute of Justice, when an abuser was arrested, repeated violence was dramatically reduced.

There is much to be done to educate our police, our judges and all those in the criminal justice system. It is also important to educate the general public and our corporate citizens. Much can be done at the corporate level to deal with family violence. Many innovative corporate programs have been established nationwide such as seminars, referral services and professional counseling for employees to address this issue. Family violence costs employers millions of dollars annually in lower productivity, turnover, absenteeism and excessive use of medical benefits.

It is our opinion that the Federal Government should not create new bureaucracies to deal with domestic violence. Successful programs are already in place in all 50 States.

National focus on the issue should be through a commitment to fund educational and prevention programs, finance research projects and to provide easily accessible matching funds and grants for shelters. In addition, at the national level a program should be established to assist States and localities in developing law enforcement and prosecution strategies to address violent crimes against women and children.

On behalf of the Junior League of Las Vegas, I thank you for the opportunity to address your subcommittee today and commend you for investigating and hopefully acting on this crucial issue.

COST OF SEMINAR

Senator REID. Do you have an idea what the cost of that seminar was—what the Junior League had to come up with?

Ms. FOLEY. It was less than \$1,000.

Senator REID. But, of course, that is a lot of money for the Junior League or any other independent organization. Is that not right?

Ms. FOLEY. That is right. There were approximately 50 participants—out of all the judges and criminal justice system, just a very small proportion.

Senator REID. That is 50 more that would not have been educated otherwise.

Ms. FOLEY. That is right. That is right.

Senator REID. I think, in listening to this final panel and listening to the testimony today—I think that we have a tremendous job to do, as Helen indicated in her testimony, to educate people—that it is a problem.

Because these crimes take place in someone's home, we feel that it is none of our business. And if you reflect back on the testimony of the last panel, I mean, a woman is just between literally a rock and a hard place as to what to do.

Look at those charts that we have talked about today. There are figures on those charts. You are not even rolling dice as a woman; you know you are headed downhill. If you break out of that home where your cherished belongings are—if you move out of that, place, where do you go? It becomes worse if you have children.

The testimony we have heard here today indicates that, with rare exception, battered women have children. So, we have some significant education—and, in fact, the Federal Government has a role, as I believe we do.

I think, Helen, again you have indicated the areas where we should focus, and this legislation does that. Perhaps there is not enough emphasis on education, but grants to law enforcement to set up specialized programs for women—I mean, if the statistics do not tell us anything, it tells us that the police departments must be capable of handling—50 percent of the calls at night are regarding problems that—regarding a woman getting slapped around or beaten.

Rick—and I think you have also, when we have tried to do this in this hearing—these problems are real. It does not effect somebody else in some other country. These are problems right here in Las Vegas, right here in Nevada.

What advice would you offer to battered women?

Mr. GARCIA. I guess I would have to say that a woman is going to have to face the reality of the environment she is in. If, in fact, she is in that environment, she is going to have to take the responsibility of dealing with her immediate problem at hand by seeking whatever support or help is available to her.

In my case, I understand that. One of the things that I learned to do a long time ago is to blame people for my anger, and, consequently, it is an escalating-type thing. I do not get mad and look for something to hit or anything like that, but, after a period of time, if those feelings are stuffed, or whatever, the escalation factor brings it to a more violent response.

The education is really important for people to be able to identify that that in fact is the way that their situation may be going—the direction it is going—and to have the help available for somebody to at least get some counseling and offer a more healthy solution to their problem.

Earlier it was mentioned that as opposed to just locking people up and putting them away, helping people to rehabilitate, if you

will, to keep marriages together and show our children better examples. And that is what I would offer for people to do—is to stand up and face their problems.

Senator REID. Would the panelists tell me, if they know, whether more women are battered that are, say, past 35 years of age compared to those that are younger? The point is, is age any determining factor as to when somebody is battered?

Dr. HALL. No; it is not.

Senator REID. Everyone agrees that age does not matter, then. Is there any pattern—from the experts on the panel—of those that do the battering or are battered? Is there any pattern? Any profile?

Dr. HALL. There is a profile of the person that does the battering.

Senator REID. Could you tell us about that a little bit?

Dr. HALL. There is a tendency of a battering person to minimize and/or deny what they are doing. They do tend to blame. That is, they project the responsibility for—

Their behavior on others, on the victim. They tend to be impulsive. They tend to be isolated individuals, not really emotionally close to anyone, other than, possibly, their mate, and, therefore, there is a great tendency to try to isolate her. There is something wrong with all of her friends. There is something wrong with her family—a reason why she should not go there.

They tend to be very dependent and possessive, and in that dependency and possessiveness, have very rigid beliefs in traditional male/female roles. So, this is what you are supposed to do if you are the wife. This is what I am supposed to do, and these are my privileges if I am the husband. So, that includes controlling economic and financial aspects of the family, as well as any major decisions.

They tend to need to control and dominate, and if the woman does anything unexpected—for example, if she is 15 minutes late or she does not cook what he expected to have for dinner, he may fly into a rage or start accusing her of infidelity, typically.

They tend to be unable to express anything other than rage. That is, they cannot be mildly irritated, or a little bit frustrated, or just—but, it is either everything is fine or they are in a violent rage.

They tend to be depressed a lot with a kind of low energy level, especially after a battering incident. They are unable to trust others—very suspicious of others. It is very easy for other people to label them paranoid. And they tend to have very few skills, in terms of managing or dealing with their stress.

And finally, in about 75 percent of the cases that we have been involved in, alcohol and/or substance usage is involved at the time of the abuse. That is not to try to put a label on them, but it does not really take somebody being drunk in order for the alcohol or the drug to begin to loosen their inhibitions and their controls against violence.

Senator REID. Which is another problem with the drug culture in which we find ourselves—that there are added costs other than those we normally hear about.

Dr. HALL. Right.

Senator REID. How could we better educate the public as to the dangers of domestic violence? Running ads in newspapers? How do you propose we do this?

Dr. HALL. Well, Helen's suggestions were excellent. I do believe it should be an aspect taught in the public schools. I think it needs to start very early. I also believe that people who are going to work with this problem need to educate themselves in this particular discipline of counseling, because just applying general counseling techniques without a knowledge of the dangers of domestic violence, of how damaging it is, and without a knowledge of specific techniques to apply to it, can sometimes do more harm than good.

Ms. MEUSCHKE. I would suggest that we all begin to understand that we are all at risk here. The person you just described: I know a lot of them. Sometimes that is me. Now, maybe not to that extreme, but all of those things that you have talked about are common: our feelings, our problems that we all experience of not feeling good about ourselves, of isolating ourselves, of not being able to deal with stress, of being unable to handle alcohol, of being unable to handle the problems that face us in this world.

So, when we are talking about domestic violence, we are not talking about a deviant group of folk that are ill and sick, we are talking—and according to statistics—to the norm. I mean, we look at 50 percent of families experiencing violence, so we are not talking about a problem that can be isolated and not dealt with except on a societalwide basis. Because, it is there. It can happen to anybody.

Senator REID. The one thing that we should have done, and I am going to do some more work on it, is that—I wonder what bearing violence in our society had, generally. There is violence on television, on movies, athletics is one big bash, knocking people down and all that kind of stuff.

I am wondering, would anyone like to offer their opinion as to whether the things that kids and adults watch on television—does that have any bearing on this battering women around? Anybody?

Ms. MEUSCHKE. Certainly, the way we perceive and use violence daily in our society has great impact, because, for most people, violence is the norm. I mean, it is what you do. If you do not like your little sister, you slap her, and then your mom says, Don't you ever slap your little sister again, and slaps you. So, what is the message here, folks? Don't ever let me see you do that. So, we go behind closed doors.

It is everywhere. It is how we interact. It is in our words; it is in our deeds; it is everywhere. And it gets to a point where it threatens our very life, and that is when we start doing something about it. But, until we start addressing it in our everyday life, in our own actions, in how we treat each other, we are not going to deal with the problem—we are not going to solve it.

Senator REID. Rick, did you have a statement?

Mr. GARCIA. Yes; I was going to comment on the images that our society creates for our children, and I am looking at it more as a—when I look at myself and I try to ask myself, Why do I possess certain characteristics? I always go back to early childhood, to learned behaviors.

The things on TV right now—I have a little step-son, and he is crazy about the Teenage Mutant Ninja Turtles, and they are

always swinging their swords or killing something, or whatever, you know. And my little girl, for example, has the idea that she is going to have to be beautiful and pretty to succeed in the world. These are misconceptions that we form when we are children, early in childhood, and I think that that is one of the areas that we need to look at.

I do not know how to solve the problem in our society that sex sells in ads, and all that kind of thing. I do not know what the solution is to that, but I think that these things really contribute to what we believe is popular. And we tend to dictate our behaviors appropriately, to that.

Senator REID. I thank each of you very much. We are going to have some testimony from the public, if in fact anyone wants to do so. I want to extend my appreciation to the four of you, as I do the other witness who spent literally the whole day. And I know it was inconvenient. We had problems with the sound system that took additional time.

But, I am grateful to you for being here. And we hope, as it has been stated so clearly by Sue Meuschke, that this will amount to something, that it will be worth our having been here. Let us hope so. Thank you very much.

This is a time set aside for those in the audience, those in the public that care to say something. I would appreciate if you would hold your statement to approximately 3 minutes. [Pause.]

No one wants to talk? I know I have been approached by a couple of people who want to say something, so do not be bashful. Just come forward and state your name, and tell us what you want to say.

STATEMENT OF LINDA KINGSLEY-MANOZ

Ms. KINGSLEY-MANOZ. My name is Linda Kingsley-Manoz, and I see three situations here that I am not hearing. The first thing I am not hearing is that in order for a woman to get from victim to survivor, I am not hearing how she is going to live. And it takes forever for her to pick up the pieces.

The job programs that the gentleman from the——
Senator REID. Welfare.

Ms. KINGSLEY-MANOZ [continuing]. Welfare Department said are inadequate—we are trained in jobs that pay \$5 an hour or less, and we have children to feed. And it is not working out.

The second thing I am not hearing is for a woman—the gentleman Rick is going from a victim, or victor, to a healthy person. I am hearing only for Vicki—she is going from victim to survivor. I am hearing that the Government is just becoming her spouse. I am not hearing her going from survivor to a healthy person and taking charge of her own life.

Now I was sitting here, and I was listening to her—I wish she were here—and, basically, I heard, as she was talking to some ladies here, I can't. I can't. I would like to hear, I can. And that is a situation where she has psychological, sociological, and spiritual situations that have to be attended to.

The last thing that I am not hearing is the Government role—which I am grateful that you are here, because this may change my mind, in the sense that the Government is getting on this

world economy and it is forgetting about its own back yard. And I am grateful that you are here starting this, but I also would like to see not only the Government but big business and other situations to start. Yes; there is a big picture to take care of, but how are you going to take care of your own back yard? And that is an important point that I think should also be brought up.

So those are my three points that I would like to get across: that women are not being supported to be able to take care of themselves—instead, the Government is becoming the spouse—that women have to go from the survivor stage to the healthy stage in being able to say I can; and for Government to start taking care of its own back yard. And I just wanted to state those three points.

Senator REID. You did it very clearly.

STATEMENT OF DENICE PIFER

Ms. PIFER. My name is Denice Pifer, and I am here on behalf of "A Child's Cry." We are a support group made up of mothers whose children have suffered because of an unjust and unsafe custody and/or visitation order made in the current domestic court system.

We are organizing to effect change in the new family court system. We are here today to ask Senator Reid for help. We need him as a man and as a leader to advocate for our children. We need him to make other leaders aware of the horrible, long-term effects that this abuse will have on our children.

We need him to stand up and shout, if necessary, the statistics that so many of our local and State leaders are ignoring: the deliberate false allegations of child sexual abuse are exceedingly rare; that as much as 80 percent of children growing up in abusive homes develop serious psychological problems; that at least 12 percent of children who grow up being abused will abuse their own children when they become parents.

That research verifies that children who are abused or neglected have serious developmental delays and problems relating with other children. Some 63 percent of these wife abusers and child abusers grew up watching their mothers being abused or grew up being abused themselves. This cycle can be never-ending.

That is why we need him to urge the Nevada Legislature to incorporate the recommendations of the National Counsel of Juvenile and Family Court Judges on Family Violence issued in July of 1990, and, beyond that, we need him to advocate for our recommendations that—

Senator REID. Would you read that again—that last sentence?

Ms. PIFER. Sure. We want you to incorporate the recommendations of the National Counsel of Juvenile and Family Court Judges on Family Violence. I have a list of those here that I would like to give you.

And beyond that, we need him to advocate for our recommendations for the new family court system, recommendations based on our experience of where the system fails.

In conclusion, we ask that Senator Reid do everything in his power to assist Nevada's children, and especially the children who have been suggested to southern Nevada's domestic court system.

We ask this for our children. We ask this for Nevada's future. We ask this because a child's cry is a very painful thing to hear.

Senator REID. Thank you very much. I appreciate your patience in waiting here during the morning.

Ms. PIFER. Thank you very much.

Senator REID. Is there anyone else from the public that wishes to testify?

STATEMENT OF BETTY MANNS

Ms. MANNS. I would like to testify, but I do not care to be either filmed or quoted by the press.

I am the former Betty Manns. I was in an abusive marriage for 13 years, and I would like to just make a couple of comments.

One of them is that it is almost impossible to understand the amount of shame and fear that a person who is being abused feels. I have been in counseling with TDC for 3 years. I left my abuser 2 years ago, and, although I had many professional skills—in many ways, I had a very supportive family. I had many friends. I had lived here for 15 years. But, sometimes, that still is not enough.

One of the speakers commented about—she wanted to hear a woman say I can. Sometimes they are saying as much as they can. It is very, very difficult to get out of an abusive situation.

The two other comments I want to make is in regard to the children. One thing is that the children especially need to be protected during the periods of high stress, when they are going through the court process. I found that my kids were abused physically, and then one of my daughters was abused sexually while we were in the court process. It is a very strenuous time, and the kids need to be protected then, especially then.

The other thing is the impact it has on children. My daughter is now 12 years old, experienced seeing a very abusive situation toward me that her dad did when she was 3 years old. She still remembers it, and she remembers it in very much detail.

Thank you.

Senator REID. Thank you very much.

Please come forward.

STATEMENT OF JACKIE WEBBER

Ms. WEBBER. My name is Jackie Webber, and I am here—I was first divorced in Pennsylvania when my children were 1 and 2 years old, and they are now 16 and almost 18 years old.

A couple of years ago, I went through our court system, and my children were victims at that time—many years after the divorce—of our domestic court system here. We do need changes, and we need improvements in our legal system here.

There are statutory provisions that are not being followed in Mr. Marren's courtroom. My children were threatened to be taken to Child Haven 12 years after the divorce. Things like that should not happen. I have two girls who are just about model students. There is no reason for this kind of activity to occur.

In fact, my exhusband's conduct was encouraged and condoned, and, because of that, other things happened to my daughters after we went through that court system for a period of 1½ to 2 years.

I had experienced domestic violence in that previous marriage. I have since been married again for almost 12 years.

And my children were being abused in various ways, and that history was ignored in our present courtroom. I found that the activity that I observed, not only in my own case but in others, was so different and so unbelievable compared to what I had observed and what had occurred to me in another State, the State of Ohio, that I could not believe it was happening.

I would suggest two things: that child support be determined by the juvenile court system and paid directly. That would be a possible way of lightening the load of our domestic courts and of avoiding some of the problems that occur in our domestic courts. I would not give attorneys the window to come in and reopen old sores and put people through the emotions again.

People should be allowed at an exact age—I believe in the State of Nevada, there is no exact age put—when children can determine what is going to be happening to them. In many States, there is an exact age, and right now I think it is being ignored in our courts. They do not have a voice in what is happening to them, even if they are teenagers.

I am not here for myself. As I said, my children are almost 16 and 18. I am here for other women who are in the court system now or in the future in the court system—to hopefully have changes made in our court system to protect them.

I vowed—when this was happening to me, I could not understand why I was in the middle of this situation. I said, well, there has got to be a reason. I guess I am going to have to raise my voice someday.

So, I hope that there is some good that comes out of this discussion, and I hope the suggestions given are taken to heart.

Thank you.

STATEMENT OF HELEN BROWN

Ms. BROWN. My name is Helen Brown, and I have two suggestions here.

One is, please, let us start educating women very early to recognize symptoms of abuse so that they will know—they can spot this.

I have a friend right now who is being set up, and she does not realize it. She says this male friend accuses her of—any male that she speaks to, she is sleeping with him, and her women friends are no good. He is isolating her, and that is one of the things that happens in abuse. So, education needs to start, like they said, very early in schools.

The other thing is—for the professionals here with organizations—please, make your needs known what volunteers can do for you, because, the more trained volunteers you have, the wider scope you have of people knowing what they are doing and can spread the word. So, let us do it.

Senator REID. Thank you, Helen.

Everyone that has testified today has added to the hearing record. I appreciate everyone being here, as I have stated several times.

I especially appreciate those people who testified who were not, in effect, called upon to testify during the formal part of the testimony. I have learned from each of you.

We will take, as I have indicated, this testimony that has been given to Washington. This is a problem that needs to be addressed. There are significant problems that can only be handled by virtue of the fact that we recognize that we do have a national problem.

As Helen Foley mentioned, C. Everett Koop, the long-time Surgeon General of the United States, stated that there is no more serious problem facing women than battering, and he is right. He is absolutely right.

When you consider that one out of every five people that go to an emergency room is a woman who has been beaten up—that is why she goes there—that does not take into consideration those people who, in effect, are not beaten badly enough to go to a hospital or feel that they should not go to a hospital, so they recover at home.

It is a serious problem, and we must recognize that it is a serious problem.

SUBCOMMITTEE RECESS

Thank you all very much. The subcommittee will stand in recess subject to the call of the Chair.

[Whereupon, at 11:50 a.m., Tuesday, February 12, the subcommittee was recessed, to reconvene subject to the call of the Chair.]

DOMESTIC VIOLENCE: THE STRUGGLE FOR SURVIVAL

FRIDAY, FEBRUARY 15, 1991

U.S. SENATE,
SUBCOMMITTEE ON LABOR, HEALTH AND HUMAN
SERVICES, AND EDUCATION, AND RELATED AGENCIES,
COMMITTEE ON APPROPRIATIONS,
Reno, NV.

The subcommittee met at 9 a.m., in the board room east, Lawlor Event Center, Hall of Fame Rooms, University of Nevada at Reno, Hon. Harry Reid presiding.

Present: Senator Reid.

NONDEPARTMENTAL WITNESSES

STATEMENTS OF:

JAYNE BAUER-HUGHES, VICTIM OF DOMESTIC VIOLENCE
MARYNNE AARONSON, FAMILY COUNSELING SERVICES
SUSAN MEUSCHKE, EXECUTIVE DIRECTOR, THE NEVADA NETWORK
AGAINST DOMESTIC VIOLENCE

OPENING STATEMENT OF SENATOR REID

Senator REID. The Senate Appropriations Subcommittee on Labor, Health and Human Services will come to order. This committee hearing is being held under the auspices of Chairman Robert Byrd of West Virginia. I thank each of you for being here.

I recently made a discovery which touched me. I was shocked when I learned that one of my staff members had for a number of years been a victim of domestic violence. She was abused by her husband. I am glad to say that this woman can no longer be called a victim. Today she is a survivor, a survivor of the strongest kind.

We all know victims of domestic violence. We may not know who they are. They could be our friends, coworkers, family members, and they could very well be alone in the pain that they suffer.

Last year, there were at least 6,958 reported cases of domestic violence in the Reno/Sparks area alone. In the United States, every 6 minutes, a woman is raped. Every 18 seconds a woman is battered. This adds up to almost 200 women battered every hour of every day, or almost 500 battered each day of the year; 365 days, that is, because batterers do not take weekends off. No vacations.

In the United States, there are more dog shelters than there are shelters for battered women. I think when you hear the stories, meet the people, and look at some of these statistics, you are going to be forced to conclude, like I have concluded, that nobody is safe

(77)

from domestic violence. It cuts across all economic, social and ethnic barriers.

If these violent crimes were being committed, though, against men, something would have been done a long time ago. If we do not do something now, it will surely only get worse.

Back in Washington, the response so far has been one of indifference. Last month, when President Bush delivered his State of the Union Address, there was not a single word said about problems that relate to women. When I was asked to comment on the speech, I brought this up. I talked about the fact that there had not been one single word said by the President about the health problems only women have, or anything about domestic violence, or really any of the major problems that confront women today. So, this hearing today is the first step to stop the violence and reverse the neglect.

I know of a Nevada woman who was brutally abused over a period of several years by her husband; 6 months after she left this abusive man, divorce papers were filed, and I add that she did this against the advice of the counselor she was working with. The counselor, knowing the volatile nature of the man and based upon the counselor's experience, wanted to avoid antagonizing him while his wife was in the same town. She wanted to give the woman the opportunity to leave town in order to protect herself from her husband.

But the woman filed her divorce papers anyway, which was certainly within her rights. But, this action sparked the most violent behavior anyone had ever seen of the husband. This woman's husband shot her with a gun in front of their child. Miraculously, she survived, and her husband was sent to prison. But that is not the end of this sad story.

Because her husband did not kill her, he was charged only with attempted murder. Because he was charged only with attempted murder, he will be released from prison in a short time. I ask, how will this woman protect herself when the man is released from prison? How far must she run and for how long must she run?

Domestic violence is a misery which does not discriminate. It knows no bounds. It knows no income, class, race, or religion. According to the Center for Women Policy Studies, violence against a woman will occur at least once in two-thirds of all marriages; 25 percent of all wives are beaten severely during their marriages. More than 1 million abused women seek medical treatment every year. One out of every five emergency room visits by women are prompted by battering—20 percent.

There are over 500 shelters in the United States that offer emergency refuge and services to battered women and their children. The battering of women involves more than just women though; it also involves, most of the time, children. The tragic fact is that these shelters cannot begin to meet the needs of the millions of women and children that every year must turn to them for assistance.

Yesterday, I visited some shelters, here in Reno, and even though—and the evidence, I think, will bear this out—we will find that Reno is in pretty good shape compared to southern Nevada. In southern Nevada, we found out, in a hearing held there Tuesday,

that that community—850,000 people, approximately—has one shelter with 27 beds for women.

I know these shelters perform an excellent job, in spite of the limited resources with which they are forced to work. Recent Federal cutbacks have made even tougher the difficult tasks our shelters perform.

Some 76 percent of domestic violence programs have been forced to reduce their services in the communities due to these cutbacks. We all agree that domestic violence programs are the wrong place to make funding cuts. It winds up costing us more money in the long term.

Violence in our homes is different from other types of violence. Because of this, domestic violence is treated differently than other crimes. Domestic violence is seen by many as a private matter between couples, one in which outsiders hesitate to become involved.

All of us here today are working to prove that domestic violence is not a private matter. It is a community and national problem in which we all have a stake.

According to the Justice Department, reaching out for help does make a difference; 41 percent of women who do not call police when they are battered can count on being battered again. If a battered woman does call local law enforcement agencies, the chances she will be battered again are only 15 percent.

Women are helped when the men who beat them are arrested. If the police only talk to a wife-beater instead of arresting him, the man will go back and eventually beat again, but those who are arrested often learn a lesson. Only 19 percent are likely to batter again.

According to a former spouse abuser who speaks at domestic violence policy training seminars, getting arrested was the jolt he needed to change his life. He said, "I know how the police respond, and so does my wife. And I do not want to go to jail."

The incidence of violence in our homes is and continues to be a crisis of national dimensions. This threat to our families and our Nation demands a disciplined, coordinated response by Federal, State, and local governments. I am dismayed to tell you that there is only one statute on the books at the Federal level. The statute is an important one: it provides grant moneys to women's shelter. But, as you know, this law is not enough, and, of course, the money coming through this law is painfully inadequate. So, I am pushing legislation in Congress called the Violence Against Women Act.

This bill does three things: one, it makes life outside the home safer for women; two, it makes life inside the home safer; and, three, it protects women by making sex crimes a violation of Federal civil rights.

Today, we will discuss other possible solutions to a problem which is tearing apart our families, day after day, year after year. This morning, we are going to have three panels. The first panel will deal with prevention and education. We are going to have three witnesses: one from the Family Counseling Service; one from the Nevada Network Against Domestic Violence; and, the most courageous of all here today, Jayne Bauer-Hughes, who is a survivor. We would ask that Jayne Bauer-Hughes be the first to testify.

If you could hold your testimony to less than 10 minutes, it would be appreciated—so that we have time to ask some questions.

I would add, to the witnesses and to those in the audience that we have a court reporter present. A reporter will take this verbatim testimony. It will be transcribed and submitted at a subsequent time to the full committee in Washington, preparatory to passing a law, we hope.

Please proceed.

STATEMENT OF JAYNE BAUER-HUGHES

Ms. HUGHES. I welcomed the invitation to speak today. I appreciate the opportunity to be included as a presenter on the prevention and education panel.

If you would have told me 15 years ago that I would be here with an education, a law degree, and a masters in counseling, I would not have believed you. But, I am here today, talking about a time before I earned those degrees, a time when I had no formal education other than high school.

I am not here to talk the talk, for I have walked the walk. I am a formerly battered woman. I divorced my batterer in 1974, after a 20-year marriage which produced four beautiful daughters for the world, but created a nightmare for me.

I had married my high school sweetheart. He was charming, attractive, protective, and very possessive. Soon after our first child was born, the battering began. It was my first exposure to a violent man, a man who was now my husband.

As I look back, I realized each of my beatings were centered around the birth of a child. As the years went by, he became increasingly more verbal and physically abusive. He chose job locations that would take me the furthest distance from my close-knit family of origin.

I know from my research and studies that male batterers are easily stressed and frustrated, particularly by the challenges of a new job or the birth of a baby. In the beginning, he was sorry, cried, begged for forgiveness, brought flowers, promised to go to counseling, vowed to stop drinking, tell me again the story of when he was a little boy hiding under the table in fear from his alcoholic father's rage against his mother, how he was sent to military school at 7 years old after their divorce. He needed me and could not survive without me. I cried with him, not only for the bruises, the dislocated jaw, and smashed nose of my own, but for that terribly frightened little boy under the table.

But, toward the end, I realized that, although I thought I hid my abuse from my children, we were becoming the very family he hated as a boy. His abuse escalated, as did his career. He became a Dr. Jekyll and Mr. Hyde, and I never knew which it would be. He kept all control of the finances and refused my request to go to work for at least my own money, stating he was the breadwinner and my role was the mother.

After 18 years of marriage, I became physically ill, losing weight rapidly, which proved to us both that I was no longer attractive. I asked him for a year's separation. He threatened to take

the children and said I would get nothing if we divorced. He was right.

My husband had become a top county manager in another State, and nobody knew what was going on behind the closed door of this city official's home. He worked strictly behind closed doors, even in his profession.

On the surface, these personable, power-hungry men seem to reflect the best of our society. And they do, for we have a society that condones and even encourages the use of best violence to settle problems.

Historically, wife-beating was legal. The right to not be an abused wife did not occur until the late 19th century. Our own States of New York and Florida's 1976 document records prove that a man could beat his wife with impunity, "when she needed it." I was one of those cases.

I did not know where to go for help. There were no shelters in those days. My parents did not want to know about it, and I did not tell them. At one point during the divorce, I went to my minister. He quoted scripture, telling me to turn the other cheek. I turned to a priest who answered, "What God has put together, let no man put asunder." I wept in wonder. Would God put together something so painful, so hurtful, if we were truly God's children?

At the time of my divorce, after a 2-year legal battle in the courts, my husband now not only had physical power but economic and political power. At my own attorney's advice, I agreed to judge's chambers to hear our case so as to avoid publicity for my family. But, as the months and then the years dragged on, I realized my attorney was not bringing up the counselor's report on my husband's behavior.

The children, in their teenage years, were promised cars and later curfews if they would side with him. They loved me, I knew, but unfortunately I know now that children side with the one that they want to love them, the one that they have continually tried to please without success. I finally blurted out during the trial that I feared for my children if he had custody; that, for the first time I said it out loud, he beat me. Surely, he would do the same to them. Instead, a restraining order was put against me in perpetuity for attempting to tarnish my husband's public image.

The year was 1974. There were no such places as shelters. I had no job, no marketable skills, and the no-fault divorce law had just been instated in Florida. I was declared equal, and I quote, "an attractive, intelligent woman who, properly motivated, could take care of herself."

I was 41 and had never worked outside the home. I was granted \$200 for 4 months and was ordered to leave the home immediately. It was not a community property State, and I never did find out where the assets were. The only thing in both our names was the house, but I owed for half the liabilities, including the childrens' orthodontist, dentist, and medical bills.

I worked as a maid, waitress, collected food stamps, and applied for student loans and work-study programs. I vowed that if I survived I would devote whatever I could to help change the laws that would allow such injustice.

I was fortunate in the fact, however, that I had started taking classes in a community college a year before. I am grateful to my teachers who recognized and helped me, often teaching me in after-class hours so that I could continue my studies and work. I do not know what would have happened to me without education.

The focus of this panel is education and prevention. What I am urging you to do is to help educate victims of domestic violence. They can be a contributing force to bring about change.

I am not sharing my story for recognition of anything but the crime that exists in our society. It is a painful story and a path that I would rather not have walked. I would rather not have dealt with some of the challenges I have known, but I have survived and feel that the wounds I have known and overcome in myself can help to heal others.

But, perhaps, if I had not walked that path, there would not be a shelter in Oklahoma that five other women and myself began in 1977, with our hotline for other targets of abuse. Because of my education, a Nevada temporary protection order's first draft was written by Diane Loper and myself after we pieced together legislation from other States.

After the law was enacted in 1985, I volunteered my counseling and law services to Judge McGee to implement and formulate the procedures before funding was available. In 1989, Masters Scott Jordan, Sherry Cushman and myself created a program to give temporary protection order applicants the knowledge and ability to strengthen themselves. This program is given three times a month, and the response from participants is overwhelming. Although ordered to only one workshop, they often request to come back. To date, the most frequent suggestion is to increase the time so they can learn more.

Researchers are now viewing us as battered women rather than victims, as targets of abuse exhibiting significant strengths rather than weaknesses. Many battered woman have learned through painful experience that confrontation, calling the police, or even the minister, may lead to more abuse. Thus, their decision to use more passive coping skills to avoid being hurt can signify useful problem-solving, rather than the pathology analogous to hostages or prisoners of war. If appropriate help-seeking behavior is unsuccessful in ending the abuse, the system is to blame—not the hostages, not the prisoners, and not the woman.

Betsy Warrior, author of "Wife-Beating" states that when mental illness finds its expression so often in similar behavior patterns, we have to assume the behavior is tolerated or even reinforced in some way by the culture that sustains it. The vast majority of battered women are not weak, and they are not mentally ill. They are strong and very skilled in surviving against all odds.

History has shown us that when social change takes place, it is the survivors of any given injustice who push that society to look at its systems and demand that society change its way in dealing with those who are still being victimized. The domestic violence movement started with women survivors supporting other women on their way to surviving outside abusive relationships.

It is time in Nevada to reflect on prevention. I would request that you focus on those who are willing to seek mutually empower-

ing situations: the women and their children; education, through workshops, to give women the ability to handle their lives; and shelters, where they can keep their children with them—not focus on solving conflicts with her abuser, but focusing on her own strengths and abilities, and how to recognize the characteristics of batterers. Teach conflict resolution in schools, as part of the curriculum, to give children the ability to handle conflicts for themselves without resorting to violence. It is time to end the cycle of violence in the home and in the world.

PREPARED STATEMENT

Thank you, Senator Reid, for being part of the forefront of change, with the behavior of spousal abuse as being recognized for the crime that it is.

Senator REID. Thank you. We will have some questions for you. [The statement follows:]

STATEMENT OF JAYNE BAUER-HUGHES

I welcome the invitation to speak today and appreciate the opportunity to be included as a presenter before this domestic violence hearing.

Although I now have a law degree, and a masters degree in counseling, I am here today talking about a time before I earned those degrees—a time when I had no formal education other than high school. I am not here to talk the talk, for I have walked the walk. I am a formerly battered woman.

I divorced my batterer in 1974, 17 years ago, after a 20-year marriage which, in reality, produced four beautiful daughters for the world, but created a nightmare of unreality for me. I married my high school sweetheart. He was charming, attractive, protective, and very possessive but soon after our first child was born, the battering began. It was my first exposure to a violent man, a man who was now my husband.

As I look back, I realized each of the beatings were centered around the birth of a child. As the years went by, he became increasingly more verbal and physically abusive. He chose job locations that would take me the furthest distance from my family.

I know from my research and studies that male batterers are easily stressed and frustrated, particularly by such challenges as a new job or the birth of a baby. In the beginning, he was sorry, cried, begged for forgiveness, brought flowers, promised to go to counseling every day, vowed to stop drinking (he was a functional alcoholic) telling me again the story of when he was a little boy hiding under the table in fear from his alcoholic father's rage against his mother. How he was sent to military school at 7 years old after their divorce. He needed me and could not survive without me. I cried with him, not only for the bruises, the dislocated jaw, and smashed nose of my own, but for that terribly frightened little boy under the table.

But, toward the end, I realized that, although I thought I hid my abuse from my children, we were becoming the very family he hated as a boy. His abuse escalated, as did his career. He became a Dr. Jekyll and Mr. Hyde, and I never knew which it would be. He kept all control of the finances and refused my request to go to work for at least my own money, stating he was the breadwinner and my role was the mother.

After 18 years of marriage, I became physically ill, losing weight rapidly, which proved to us both that I was no longer attractive nor that I wouldn't survive without him. I asked for a year's separation. He threatened to take the children and that I would get nothing if we divorced, he was right.

My husband had become a top county manager in another State, and nobody knew what was going on behind the closed doors of this county official's home. He worked strictly behind closed doors, even in his profession.

On the surface, these personable, power-hungry men seem to reflect the best of our society, and they do, for we have a society that condones and even encourages the use of best violence to settle problems.

Historically, wife-beating was legal. Early British common law, upon which our legal system is based, and illustrates how history has accepted the use of domestic violence. In a 17th century court decision a judge admonished a man not to beat his

wife so savagely except with a rod no thicker than his thumb, thus the rule of thumb.

The right to not be an abused wife did not occur until the late 19th century. Our own States of New York and Florida's documented records prove a man could beat his wife when she needed it. I was one of those cases.

I didn't know where to go for help, there were no shelters in those days. At one point, during the divorce, I went to my minister. He quoted scripture, telling me to turn the other cheek. What, I replied, to be slapped and beaten again? I turned to a priest who answered, "What God has put together, let no man put asunder." I wept and wondered. Would God put together something so painful, so hurtful, if we were truly God's children?

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The children, in their teenage years were promised cars and later curfews if they would side with him. They loved me, I knew, but unfortunately, children side with the one that they want to love them, the one that they have continually tried to please without success. I finally blurted out that I feared for my children if he had custody; that he beat me, surely he might do the same to them. A restraining order was put against me in perpetuity for attempting to tarnish my husband's public image.

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I worked as a maid, waitress, collected food stamps, and applied for student loans and work-study programs. I vowed that if I survived I would devote whatever I could to help change the laws that could allow such injustice.

I was fortunate in the fact, however, that I had started taking classes in a community college a year before. I am grateful to my teachers who recognized and helped me, often teaching me in after-class hours so that I could continue my studies and work. I do not know what would have happened to me without education.

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But, perhaps, if I had not walked that path, there would not be a shelter in Oklahoma that five other women and myself began in 1977, with our hotline for other targets of abuse. The Nevada temporary protection order's first draft was written by Diane Loper and myself after we pieced together legislation from other States.

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in ending the abuse, the system is to blame—not the hostages, not the prisoners, and not the woman.

Betsy Warrior, author of "Wife-Beating" states that when mental illness finds its expression so often in similar behavior patterns, we have to assume the behavior is tolerated or even reinforced in some way by the culture that sustains it. The vast majority of battered women are not weak, and they are not mentally ill. They are strong and very skilled in surviving against all odds.

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It is time in Nevada to reflect on prevention. I would request that you focus on those who are willing to seek mutually empowering situations: the women and their children; education, through workshops, to give women the ability to handle their lives. Not focused on resolving conflicts with her abuser, but focusing on her own strengths and abilities, and how to recognize the characteristics of batterers. Teach conflict resolution in schools, as part of the curriculum, to give children the ability to handle conflicts for themselves without resorting to violence. It is time to end the cycle of violence in the home and in the world.

Thank you, Senator Reid, for being part of the forefront of change, the behavior of spousal abuse as being recognized for the crime that it is.

STATEMENT OF MARYNNE AARONSON

Senator REID. Marynne Aaronson.

Ms. AARONSON. I would like to thank you, Senator Reid, and your staff for holding these hearings. I realize that most of our resources are being used to resolve the Persian Gulf crisis, but it is good to see interest shown to the domestic agenda. I hope that we are able to provide information that will assist Congress in future legislation and funding.

My name is Marynne Aaronson, and I have been involved with the domestic violence movement for 8 years. I am now studying for my masters degree in social work and do a 20-hour week practicum at Family Counseling Services.

Social workers, family therapists, and other professionals of the mental health field are genuinely concerned about the amount of domestic violence occurring in this country. What is important for you to understand is the multigenerational pattern of domestic violence.

Most everyone can repeat the line, "Domestic violence is learned and passed down." How that occurs is through a complex system of communication, identification, and self-image development. Children growing up in homes where violence is the primary way to resolve conflict are being given a message that: One, conflict is unacceptable; Two, in a conflict, there must be a winner and a loser; Three, the winner is the one with the most power, and Four, aggression, cruelty, and threats are a normal way to resolve conflict.

A child at about age 3½ to 4 becomes aware of the physical and the more-than-likely social differences between males and females that begin the process of identification. This is a developmental stage of socialization and will have a great deal of bearing on the psychological bearing of a child. The process for males is far more difficult, since it involves breaking a strong bond with the female, mother, to identify with the male, father.

Think of children growing up in violent homes. The male children, having a bond with their mother, sees the adult male in their life lashing out in anger at this woman. This, then, is how a man

treats a woman. The young female witnesses the fear, put-down, and manipulations the adult woman goes through in order to be in this relationship. This, then, is how women and men relate.

Now, imagine these children's inner landscape, especially when they begin to interact with other people. They discover that not all homes have parents who fight loudly and hit. They discover that men and women relate differently, peacefully. They are filled with confusion: torn loyalties between love and identification, fear of being hit or yelled at, and an increasing awareness that they are not safe, emotionally or physically, in their own home.

A child's positive self-image and sense of worth are the most precious gifts a parent can give their children, but, if, as adults, these parents have poor self-images and little self-worth, then they pass on what they have. So, you see, parents feel powerless, fearful. Threatened, they dance a dance of violence. Their children are taught the dance, and they teach their children, and on, and on.

Can this dance be stopped? I believe it can but not overnight and perhaps not in one generation. A combination of education, therapy, and group interaction is the treatment modality being used by the Family Counseling Service of northern Nevada. The first program, Intercept, is for men, and the women's program is "Work Women are Reality and Knowledge." Both programs have been in progress for 4 months and have distinctly different treatment approaches.

Intercept's educational piece is done through the use of a movie. Here a man reenacts a violent episode between himself and another person, usually his wife. Each step is carefully analyzed and interpreted from the emotional, cognitive, and behavioral aspect. Only one man's movie is done per session, which allows for intensive analysis.

Most men uncover vital information about themselves in this process, and the other group members are encouraged to participate in discussions about themes and feelings the exercises bring up for them. An additional and key component to this program is the emphasis on accountability and responsibility that the man must take regarding his violence. Men must report to the group if they have inflicted any verbal or physical abuse on their spouse between groups.

There are guidelines men are to follow in order to make themselves safe, and spouses are contacted to evaluate if she feels the violence has significantly been reduced and is told that she does not have to report it if she does not feel safe.

Work models itself after conscious-raising groups, providing women an opportunity to learn and explore a number of areas, including power, anger, assertiveness, and traits of healthy and unhealthy relationships. The major therapeutic intervention is the affirmation of "Women's Knowledge and Friendships." Beyond a support group, these women are guided by use of confrontation about beliefs and values that may lock them into traditional and victimized roles.

So, how can you assist in changing the dance? Programs like Intercept and Work need research money. It will be difficult to know if these programs are a viable treatment approach unless a longitudinal study can be done. These kinds of studies require an

elaborate system for measurement, and professional staff to facilitate groups and interpret data.

Additionally, mental health services are considered to be a luxury, yet these high-risk families need access to services. Future programs would benefit by having part of the costs underwritten by Federal, State, and city dollars, making treatment affordable. And this leads to the most important piece.

Congress must take a visible leadership role and put the welfare of American families at the top of the priority list in policy planning. There are a number of ways this can be done, including affordable housing, long-term, transitional housing for battered woman, and affordable daycare. Sadly, the dilemma HUD has brought reflects a policy that does not advance this for families.

PREPARED STATEMENT

I would like to conclude by saying that I appreciate the efforts of all agencies and organizations working on behalf of battered woman and their families and to the legislatures, both federally and locally, who have been instrumental in introducing legislation to empower these victims.

Thank you.

Senator REID. You are welcome.

[The statement follows:]

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A child at about age $3\frac{1}{2}$ to 4 becomes aware of the physical and the more-than-likely social differences between males and females, they begin the process of identification. This is a developmental stage of socialization and will have a great deal of bearing on the psychological development of a child. The process for males is far more difficult, since it involves breaking a strong bond with the female, mother, to identify with the male, father. Think of children growing up in violent homes.

The male children, having a bond with their mother, sees the adult male in their life lashing out in anger at this woman. This, then, is how a man treats a woman. The young female witnesses the fear, put-down, and manipulations the adult woman goes through in order to be in this relationship. This, then, is how women and men relate?

Now, imagine these children's inner landscape, especially when they begin to interact with other people. They discover that not all homes have parents who fight loudly and hit. They discover that men and women relate differently, peacefully. They are filled with confusion: torn loyalties between love and identification, fear of being hit or yelled at, and an increasing awareness that they are not safe, emotionally or physically.

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Can this dance be stopped? I believe it can but not overnight and perhaps not in one generation. A combination of education, therapy, and group interaction is the treatment modality being used by the Family Counseling Service of northern Nevada. The first program, Intercept, is for men, and the women's program is (WORK) Women, Our Reality and Knowledge. Both programs have been in progress for 4 months and have distinctly different treatment approaches.

Intercept's educational piece is done through the use of a "movie." Here a man reenacts a violent episode between himself and another person. Each step is carefully analyzed and interpreted from the emotional, cognitive, and behavioral aspect. Only one man's movie is done per session, which allows for intensive analysis. Men often uncover vital information about themselves in this process, and the other group members are encouraged to participate in discussions about themes and feelings the exercises brought up. An additional, and key component to this program is the emphasis on accountability and responsibility that the man must take regarding his violence. Men must report to the group if they have inflicted any verbal or physical abuse on their spouse between groups. There are guidelines men are to follow in order to make themselves safe, and spouses are contacted to evaluate if she feels the violence has been significantly reduced.

WORK models itself after conscious-raising groups, providing women an opportunity to learn and explore a number of areas, including power, anger, assertiveness, and traits of healthy and unhealthy relationships. The major therapeutic intervention is the affirmation of "Women's Knowledge and Friendships." Beyond a support group, these women are guided by use of confrontation about beliefs and values that may lock them into traditional and victimized roles.

So, how can you assist in changing the dance? Programs like Intercept and WORK need research money. It will be difficult to know if these programs are a viable treatment approach unless a longitudinal study can be done. These kinds of studies require an elaborate system for measurement, and professional staff to facilitate groups and interpret data.

Additionally, mental health services are considered to be a luxury, yet these high-risk families need access to services. Future programs would benefit by having part of the costs underwritten by Federal, State, and city dollars, making treatment affordable.

This leads to the most important piece. Congress must take a visible leadership role and put the welfare of American families at the top of the priority list in policy planning. There are a number of ways this can be done; most have already been mentioned.

I would like to conclude by saying that I appreciate the efforts of all agencies and organizations working on behalf of battered woman and their families and to the legislatures, who have been instrumental in introducing legislation to empower these victims.

STATEMENT OF SUSAN MEUSCHKE

Senator REID. We will now hear from Sue Meuschke, Nevada Network Against Domestic Violence.

Ms. MEUSCHKE. Good morning, Senator.

Senator REID. Did I do OK on your name?

Ms. MEUSCHKE. You did real well, and I was impressed in Las Vegas, as well.

My name is Susan Meuschke, and I am the executive director of the Nevada Network Against Domestic Violence. This is a State-wide coalition of programs and individuals throughout the State of Nevada who are working to end violence in the home.

As both a staff member of the network and a hotline volunteer at a local domestic violence program, I have spent 6 years working with battered women and their children being educated by the real experts. We have envisioned a day when we can close up all the shelters, hang up all the hotlines, and know that no more homes will be destroyed by violence.

Unfortunately, last year, thousands of Nevada families still found that streets were still safer than their own homes. Last year, law enforcement agencies throughout the State responded to more than 5,000 calls, and domestic violence programs provided direct services to more than 11,000 victims.

Having had the opportunity to testify in Las Vegas, I am not going to waste your time or my own by rerepeating my testimony. What I do want to do today is reemphasize some of those points, including the need to hear from survivors.

Today we have three very strong, very courageous women who will speak to their own experience. There are thousands of women who do not have that strength or that courage because they know it is still not safe for them to speak out in public forums. Because that safety is still lacking in our society, I would ask you to also set up private forums where survivors can speak to you about their reality and let you know what the real problem is.

As experts sit here and speak to you about possible answers to this problem, we really need to hear from the survivors about what actually happens. We need to hear from people like Tracy Thurman in Connecticut, who speaks to the ineffectiveness of the legal system in addressing her problem of the failure of the police department to protect her from her abuser.

We need to hear stories like Lisa Bianco, a woman who used the system, followed all the rules, who called the police, who got a protection order, who went to a shelter, who prosecuted her abuser, who saw him go to prison, and then died because somebody forgot to call her and tell her they were letting him out for 8 hours.

We need to understand that not only is domestic violence a crime but it is a way of life. Prevention and education efforts must be broad-based. They must include the legal system. They must include direct service systems. But, they also must be present in hospitals, and schools, and anywhere that people are, because this crime effects all people.

I also want to take a minute to comment on Federal legislation that both passed in the last legislative session and also to talk a little about the bill that you mentioned in your opening remarks.

Last year, the Congress of the United States approved two bills that I feel are very important for both prevention and education. The first was the Marriage Fraud Act, which provided battered woman who were aliens to be able to obtain their green cards without the sponsorship of their spouse or batterer. Battered women could also obtain their green card without spousal sponsorship if a dependent child had been sexually or physically assaulted, important legislation that addresses a key tool that batterers use to keep women in that relationship, particularly for women who are concerned about losing their green card.

I would also mention the House congressional resolution 172, that presumes that, for purposes, of determining child custody, credible evidence of physical abuse of a spouse should create a statutory presumption that it is detrimental to the child to be placed in the custody of the abusive spouse. Obviously, Federal legislation cannot mandate to the States how they will look at custody, but that certainly is a powerful educational tool for both State legislators and State courts.

As you reconsider the Violence Against Women Act of 1990, I would ask you to look at several different parts of that legislation. As you consider providing grants to high-intensity crime areas and provide funding for developing, enforcing, and staffing programs, that we will look at this Nation's lack of data collection and reporting abilities, particularly in the area of domestic violence.

Will this, in fact, impact high-intensity crime areas, or will we be looking at racial, class, and geographical lines? Will we pit inner cities versus suburbia, where it is certainly easier to hear the screams through the walls of an apartment building than it is across the manicured lawns of suburbia? Will we again perpetuate that myth that somehow cities bred the violence, where, in rural areas, it does not happen? That is very much a myth.

As you heard in Las Vegas people talking about the Albuquerque experiment, a program that seems to work in Albuquerque and may even work well in Las Vegas, understand that programs like that do not translate to Battle Mountain, NV. They do not work in Pioche, NV. Ely, Elko, and Fallon, NV may have problems with programs like that. We need to look at how we fund and how we deal with crime and problems in the society and not just look at urban programs.

As a Senator from a largely rural State, you have the ability to take a lead in addressing that problem.

In this bill, there is also a section that creates national and State commissions on violence against women. Your point about a largely male-dominated power structure in this country is well-taken. It is important that we look at that when we set up these commissions.

It is also important that you consider the training and technical assistance funding provisions of this bill. We have neither the time nor the resources to reinvent the wheel. Look to programs and people already in place. Encourage networking. Do not create a whole new bureaucracy.

PREPARED STATEMENT

If there is nothing else you take away from my testimony today or several days ago, it is that it is time that we began to fit the systems to meet the needs of victims and not force the victims to meet the needs of our systems.

Thank you.

[The statement follows:]

STATEMENT OF SUSAN MEUSCHKE

My name is Susan Meuschke and I am the executive director of the Nevada Network Against Domestic Violence the Statewide coalition of programs and individuals throughout the State of Nevada who are working to end violence in the home.

As both a staff member of the Network and a hotline volunteer at a local domestic violence program I have spent 6 years working with battered women and their children being educated by the real experts. Envisioning a day when we can close up all the shelters, hang up all the hotlines, and know that no more homes will be destroyed by violence.

Unfortunately last year thousands of Nevada families still found that the streets were safer than their own homes. Last year law enforcement agencies throughout the State responded to more than 5,000 domestic calls and domestic violence programs provided direct services to more than 11,000 victims.

I am here today to speak on behalf of the domestic violence movement. A movement which began in the midseventies. A grassroots movement with little or no resources or support—fueled by the strength and determination of survivors of domestic violence. A movement that developed services for victims—hotlines and emergency shelters and provided a forum to speak out about this terrible tragedy to anyone who would listen.

These efforts have been extraordinary. In less than 20 years a problem that has hidden behind closed doors for much too long a time has become a part of our national consciousness. Laws have been enacted that view domestic violence as a crime, that seek to protect the victim and hold the perpetrator accountable. We have a network of hotlines and shelters throughout this country that provide safety and support for battered women and their families. Many voices have joined the chorus—speaking out against the violence and searching for workable solutions to the problem.

We can have pride in our collective accomplishments but let us not forget why we're here.

We're here today because survivors have had the strength and courage to speak out, to organize and to create alternatives to the violence. However, as we listen to some of those voices today let us also think about the survivors that aren't here. They aren't here because it still isn't safe, either emotionally or physically, to get out or to speak out.

It is time to focus national attention and resources on the epidemic that threatens families all over this country. It is also time to realize that "just saying no" isn't enough. A national agenda that condemns domestic violence but provides no real alternatives will fail.

Domestic violence cannot and will not be prevented by arresting every batterer or sheltering every victim. These are emergency measure that save lives not the solution to the problem. We must address the fact that we as a society also bear responsibility for this problem. If a lack of affordable housing, healthcare and childcare trap some victims in an escalating cycle of violence; if substance abuse, unemployment or a legacy of family violence provide abusers with an excuse to choose violence, then we must address those problems as well.

Senator Reid, as a United States Senator and a member of the Labor, Health and Human Services Appropriations Subcommittee, you have the means to increase funding for domestic violence programs. Programs that save lives and prevent further violence by providing alternatives. Services for victims of domestic violence and their families are in jeopardy. The demand far exceeds our resources.

You have the means to support and strengthen laws that protect the victim and hold the perpetrator accountable. Training for law enforcement and the courts is desperately needed.

You have the means to advocate for increased public education efforts on all levels. While awareness has grown many myths still exist. Victims are being blamed for the violence. Public education and training is woefully inadequate when measured against the scope and size of the problem. We must continue to reach out to victims and their families and provide education about alternatives to violence for both adults and children.

My 5 minutes are almost up and I have barely scratched the surface. I have not provided the answer for preventing domestic violence or a program for educating the public about the serious and devastating problem of domestic violence. Instead I have tried to provide you with a perspective of the work that has been done and is being done to accomplish both. I would like also to ask you to join with us in this struggle to understand, to act and to do more that just survive.

Senator REID. Sue, would you help me draw some statistics together? You indicated in your testimony that there was some 5,000 cases in Nevada last year, yet, we did hear in Las Vegas that phone calls alone to one police agency, excluding North Las Vegas, Henderson, and Boulder City, amounted to over 23,000. Tell me about these 5,000 cases. Give me the difference.

Ms. MEUSCHKE. Well, it has a lot to do with the fact that our data collection and reporting systems are bad. In 1985, the legislature instituted a mandatory arrest law, and, as part of that law, they set up a system that required law enforcement agencies to file a report with the Nevada Department of Motor Vehicles and Public Safety as to the disposition of those calls: whether an arrest

was made; if an arrest was not made, what the mitigating circumstances were.

The figure that I quoted is the figure that is contained in the report from the Nevada Department of Motor Vehicles and Public Safety relating specifically to domestic calls. There is obviously a problem between receiving a call, filing a report, and having that report included in the report from the Nevada Department of Motor Vehicles.

I cannot tell you the definitive answer. Obviously, there is something fallen down in that system.

Senator REID. The other question I have is, we know that 95 percent of the cases of domestic violence are men attacking women, and less than 5 percent, or approximately 5 percent, relates principally to relationships where the man is handicapped in some way—maybe in the next panel we will get some of these statistics. Yet, we learned down there in southern Nevada, that in almost 25 percent of the arrests for domestic violence, women got arrested.

Ms. MEUSCHKE. Sure.

Senator REID. How do you account for that?

Ms. MEUSCHKE. Again, it speaks to our inability to deal with the problem as it exists. The law that I spoke of just a moment ago, the mandatory arrest law, asks that a police officer based upon probable cause—and for most police officers, that means physical evidence—make an arrest in a domestic call. When an officer walks into a situation, if a woman has fought back in self-defense and uses her fingernails or whatever means she has to stop someone from choking her to death—those marks that she leaves with her fingernails are immediately visible. The bruises around her neck may not be. So, what happens is she goes to jail, or they both go to jail.

Senator REID. Have you heard of examples where the men purposely scratch themselves?

Ms. MEUSCHKE. I have certainly heard that as well. You are dealing with people who are master manipulators. They not only manipulate their partner, but they can manipulate the system. And if they find out that scratching themselves works, it works.

Senator REID. Marynne, what pattern, if any, do you see in the men and women that you talked about as being involved in domestic violence? Is there a pattern?

Ms. AARONSON. Well, what we talk about in theory is that there is a cycle to the violence where there will be a time when the couple is getting along well. They call that the honeymoon phase or—where things are going well. And part of the problem that these people have is dealing with their own internal conflicts. So pressure builds up inside of them, and they are not communicating with each other. They have low self-images, so there is a kind of distorted thinking pattern that goes on, particularly with the men that are perpetrating the violence.

A woman could glance at a man and it be taken in a completely different way—that she is being accused of having an affair with a perfect and total stranger, and, slowly but surely, the pattern gets built up. It is usually a small incident that leads to a round of violence. It can be anything from the woman being less able to handle the frustration of trying to keep that relationship on an even keel,

because, that is what she usually tries to do to keep things from escalating and becoming higher. And she suddenly becomes too tired, too overwhelmed, too frightened to do that anymore, and they exchange words. She disagrees with him or tries to get out of there before the violence begins to escalate, and the violence does escalate. She is thrown back into the house. The verbal exchanges go on, and the hitting is an acting-out behavior of wanting that to just stop on his part—just shut her up and not have it happen any longer. That is the pattern within the home.

The pattern internally is one that includes the low self-image, the poor impulse control—

Senator REID. Not much of the battering takes place outside the home, does it?

Ms. AARONSON. There are a lot of incidents where, yes, it does happen, particularly when they have been drinking and they are out together. Parking lot battles are not an unusual incident, and violence is going on even when they are outside the home—verbally, intimidation, that fear of it happening anywhere certainly goes with a woman wherever she goes and with the man, wherever he goes.

Senator REID. Do either of the three panelists have any ideas as to what we could do to better educate Americans about domestic violence?

Ms. HUGHES. I think what you are doing right now is very helpful. And again, more and more women do come forward with their stories and the opportunity to recognize it as the crime that it is.

Senator REID. Even though it is important that you came forward today, you could not have done this in 1975, could you?

Ms. HUGHES. No; my own family did not want to hear the situation. There was never a divorce in our family. And again, I was curious what kind of background other women had.

Senator REID. What would it have taken for you to come forward at a public discussion like this in 1975 or 1976?

Ms. HUGHES. Just what we have right now with the shelters and the committee—

Senator REID. Do you think you could have been talked into it—coming forward and telling your story?

Ms. HUGHES. Yes; I felt frustrated. No one would listen to me. Even in the judge's chambers, they shut me up, and they actually sealed our divorce so nobody could see what was going on. I felt so frustrated. Even the religious leaders—every place I turned to to seek help—it just was not there.

Senator REID. Let us say that a woman tonight watches the news, listens to the news or reads about it tomorrow, and she is the person who—as we learned in Las Vegas, this battering thing is kind of nice way—domestic violence. The fact of the matter is, it is really wife-beating.

But, let us assume a woman reads or hears about this hearing and it brings to her attention what she is going through. What advice would you give to a woman like that?

Ms. HUGHES. I would advise her to get in touch with the Committee to Aid Abused Women, to find a shelter that she could go to, and talk to the counselors there.

Senator REID. Sue, what would be your advice?

Ms. MEUSCHKE. I would tell her that there are no easy answers; that there are some alternatives out there, but that this is her struggle—her individual struggle for survival, and I would not tell her lies. I would not tell her call the police, and it will be all over. Go to court, and it will be all over. Go to a shelter, and it will be all over.

I would tell her that she has a struggle ahead of her that will test every ounce of courage that she has, and then I would also tell her that I would be there for her always and that there are people everywhere who are there for her—and understand, that is certainly not a lot of compensation for what she is going to have to go through.

Senator REID. Is this relationship complicated—the answer is obvious—as a result of children? Are children involved most of the time—the women that you see?

Ms. MEUSCHKE. When children are present in the home, they are involved whether they actually see the violence, whether we fool ourselves into believing that somehow children are not bright, perceptive individuals who know what goes on behind the bedroom door—behind any locked door.

This is a very complicated situation. Yes; it is wife-beating. It is also girlfriend-beating. It is also partner-beating. And there are no complete terms to describe it. When we isolate it to one of those, we exclude all the rest.

Some days you want to give up, because there does not seem to be an answer. But then you talk to people like Jayne and other women, and they found answers for themselves. And they were very, very individual answers.

Ms. AARONSON. What I would like to comment on, what both Sue and Jayne are talking about, is the isolation that battered woman go through. It is one of the ways that this keeps going on. Women do not know how to reach out for help. They do not know that there are other people. Somewhere up here, they know there are other women out there, but how to reach out to them, how to get to them, is difficult for them. And that isolation is what holds them and locks them into these patterns.

So, the more that they are around women who have been through this, which is why shelters are so important—because, at least in that shelter, they are hearing that they are not alone. Women will leave 5 to 7 times for a number of complicated reasons. This is a relationship with emotional ties and certainly financial obligations. It is not an easy road for women to get out of these relationships financially.

Senator REID. As we see from the charts here, it is not only a physical fear, as we learn when relationships are broken—

Ms. AARONSON. Correct.

Senator REID [continuing]. But the men do a lot better. The women do a lot worse. Do you not think a lot of it is economic?

Ms. AARONSON. I think a lot of it is economics. I think too much of it is economics. I would not want to take away from the mental health of these women either. They have been beaten down and torn down emotionally, as well. We call it the crazy-making pattern, where they absolutely think that they cannot make it without this other person in their life.

But, without the economic underpinning: the affordable daycare, the affordable housing—I cannot emphasize that enough—our mental health services are not going to do much for these women at all. Their basic needs have to be met, including not feeling afraid, not feeling frightened, and feeling secure. That is a basic need. And unless those can be met, our mental health services cannot touch the problem.

Senator REID. Thank you very much, each of you, for being here today. [Applause.]

STATEMENTS OF:

M.J., A SURVIVOR OF DOMESTIC VIOLENCE

SCOTT T. JORDAN, COURT MASTER, SECOND JUDICIAL DISTRICT COURT, WASHOE COUNTY

MEREDITH HOFFARD, DIRECTOR, FAMILY VIOLENCE PROGRAM, NATIONAL COUNCIL OF JUVENILE AND FAMILY COURT JUDGES

DAN COPPA, UNDERSHERIFF, WASHOE COUNTY SHERIFF'S DEPARTMENT

Senator REID. The second panel is entitled "Legal System and the Courts." We have the good fortune today to have with us Scott Jordan, who is a court master with the Washoe district court; Mary Hoffard, National Council of Juvenile and Family Court Judges; Undersheriff Dan Coppa, of the Washoe County Sheriff's Department; and, a survivor. We will refer to the survivor first.

If we can impose upon you and ask you to please us with your statement, we would appreciate that.

STATEMENT OF M.J., A SURVIVOR

Ms. SURVIVOR. Thank you. Thank you for having the hearing, Senator Reid. I am a 58-year-old survivor of domestic violence, a mother of three, grandmother of two. I was married for 35 years. Some might consider us a prominent Reno family: large home, three beautiful children, a successful business—from the outside, the perfect family.

After spending 2 years in counseling and Al-Anon, I have learned a lot about myself and my relationship with members of my family. My abuse would not make a TV show, such as "The Burning Bed." The physical abuse: a couple of slaps and bruises on my arms from a shaking—also an attempt to kill both of us on the freeway. The verbal and emotional abuse has and is still effecting my life.

I lived my life in total fear. When I started counseling, I knew I was not happy, but I honestly did not know I had a choice or that life could be better if I wanted it to be. My counselor, after several visits that included my three children and my husband, told me my husband was an alcoholic. My daughter and I are the only family members who chose to continue counseling. The counselor told me that I had been badly abused. My denial was so complete that I did not believe him until months later, when my husband and I separated.

I was not only abused by my husband, but the court system and the attorneys turned a deaf ear to my needs. And since my husband had the resources to hire the best attorneys, I had to find

someone willing to wait to be paid. Also, my husband could delay the process because he had all the funds.

When you have been a total wife, mother, and helpmate, and have not worked outside the home since 1955, this comes as a real shock. In the past, I worked while my husband obtained his college degree. Then, when required, I would help out at his place of business. Being paid was not an issue.

I moved out of our home into an apartment and filed a temporary support motion with the courts in the spring of 1987. I am still waiting to receive temporary support.

My husband's lifestyle did not change. His monthly income at that time was \$10,000. He just moved his girlfriend in, and she took my place as the door mat. I felt like I had been removed from the world, sort of like putting your name on a blackboard and having it erased.

I changed attorneys three times to get some action. I took half of his savings account and used those funds to live, all the time thinking I would get some support money. Finally, I got a job that paid \$6 an hour and, with the help of one son and my daughter, I was able to get by. At one point, I had to move in with my 80-year-old parents, who were in a complete fog and could only ask why?

My husband had a serious heart condition which was caused by years of drinking and chose not to believe the doctors. He died about 1½ years ago. Prior to his death, he filed personal bankruptcy, and, in effect, I am in bankruptcy also because everything was in both of our names—debts and assets. I have no protection under the law for his actions.

I have been asked why I did not call the police. There were several reasons. I did not realize there was help out there. Also, my mother always told me, "We do not air our dirty linen in public." I thought about it during the freeway incident, but I was too humiliated to call the police.

I work as a volunteer on the crisis line for the Committee to Aid Abused Women. Most women are afraid to call the police. Their question is, "What happens to me when I am alone again? What will the abuser do?"

I recommend that they obtain a temporary protection order. I also remind them that a temporary protection order does not stop a fist or a bullet. It is a building block to a safe life. We have the mandatory arrest law, the temporary protection orders. These are wonderful tools. We need more education in the judicial system, law, and law enforcement, so when we ask for help, the system can offer us a safe haven and hear our cries for help.

In my opinion and my counselor's, it will take me years to recover. A little example: I was asked to attend a meeting a few weeks ago. It was held at the place of business that my husband and I were involved financially. I might add, I have not been in this place for 5 years. I was OK with this at the time when I was asked.

But, the day of the meeting came, and I was about two blocks away. I was overwhelmed with fear. I spent the next two blocks talking to myself. Who are you afraid of? The people who work there have always been nice to you. Your husband? He is dead. The girlfriend? She cannot hurt you anymore. I realized this is an irrational fear, but it emphasizes how abuse can effect the victim.

My place on this panel as a survivor is to talk about the legal system and the courts. I was asked to be on the prevention and education panel as well.

In my opinion, prevention starts with education, both in the court system and law enforcement. This education should extend to friends, family, churches, and schools. Society, in general, denies that abuse occurs. These same people are very uncomfortable hearing about abuse on a personal level.

The first question that is asked is, "Why did you stay?" Fear. Fear of being alone. Fear of abandonment. Fear of financial dependency. Fear of not being accepted by family and friends. Fear of not being believed.

Then the guilt enters. What did I do wrong in being the loyal wife and believing my husband could do no wrong and also that he was as honest as the day is long? It must be me. This was and is wrong. My problem was thinking it was all my fault, and, in reality, it was his behavior that was inappropriate.

Senator Reid, I feel that you have the vehicle and the power to strengthen existing laws. Extend the protection orders to other States. Enforce the mandatory arrest laws, and provide the financial support so urgently needed throughout the domestic violence programs.

As a U.S. Senator, you can make a commitment to all the abused and battered women to work toward a violent-free society. In our society, abuse is accepted on a daily basis. We see it on TV, the unacceptable joke, the slap of a child. I would hope that it would be unacceptable for any abuse and the public would be outraged with its existence in our society.

PREPARED STATEMENT

Education should start in the home and extend to the schools, the workplace, law enforcement, and the court system. When we stand up and say, no; you cannot hit your child, wife, or friend, and make it the worst thing that can happen in life, then we will have prevention. We accept unacceptable behavior as none of our business. Well, let us make it our business and stop the violence.

Thank you.

Senator REID. You are welcome.

[The statement follows:]

STATEMENT OF M.J.—SURVIVOR

I am a 58 year-old survivor of domestic violence, a mother of three, grandmother of two. I was married for 35 years. Some might consider us a prominent Reno family: large home, three beautiful children, a successful business—from the outside, the perfect family.

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But, the day of the meeting came, and I was about two blocks away. I was overwhelmed with fear. I spent the next two blocks talking to myself. Who are you afraid of? The people who work there have always been nice to you. Your husband? He is dead. The girlfriend? She cannot hurt you anymore. I realized this is an irrational fear, but it emphasizes how abuse can effect the victim.

My place on this panel as a survivor is to talk about the legal system and the courts. I was asked to be on the prevention and education panel as well.

In my opinion, prevention starts with education, both in the court system and law enforcement. This education should extend to friends, family, churches, and schools. Society, in general, denies that abuse occurs. These same people are very uncomfortable hearing about abuse on a personal level.

The first question that is asked is, "Why did you stay?" Fear. Fear of being alone. Fear of abandonment. Fear of financial dependency. Fear of not being accepted by family and friends. Fear of not being believed.

Then the guilt enters. What did I do wrong in being the loyal wife and believing my husband could do no wrong and also that he was as honest as the day is long? It must be me. This was and is wrong. My problem was thinking it was all my fault, and, in reality, it was his behavior that was inappropriate.

Senator Reid, I feel that you have the vehicle and the power to strengthen existing laws. Extend the protection orders to other States. Enforce the mandatory arrest laws, and provide the financial support so urgently needed throughout the domestic violence programs.

As a U.S. Senator, you can make a commitment to all the abused and battered women and children to work toward a violent-free society. In our society, abuse is accepted on a daily basis. We see it on TV, the unacceptable joke, the slap of a child. I would hope that it would be unacceptable for any abuse and the public would be outraged with its existence in our society.

Education should start in the home and extend to the schools, the work place, law enforcement, and the court system. When we stand up and say, no; you cannot hit your child, wife, or friend, and make it the worst thing that can happen in life, then we will have prevention. We accept unacceptable behavior as none of our business. Well, let us make it our business and stop the violence.

STATEMENT OF SCOTT T. JORDAN

Senator REID. Judge Jordan.

Mr. JORDAN. Good morning. My name is Scott Jordan. I am juvenile and domestic relations master for the second judicial district court. My responsibilities include presiding as judge over juvenile child abuse and neglect cases as well as domestic violence cases.

While it is unfortunate that domestic violence has become such a prevalent problem within our society, it is encouraging that leaders in both the Federal and State government are beginning to address it. I believe that the primary responsibility for addressing domestic violence issues lies within the State court system, both regarding prosecution of criminal offenders and the issuance of orders in civil protection, divorce, or child custody cases.

I do, however, see a very important role for the Federal Government to play. You can insure the quality of State-run programs by setting standards for such programs and by providing the financial means necessary to allow realistic, high quality programs. I would like to offer a few thoughts as to how to assure that domestic violence programs meet the true needs of abuse victims and survivors.

First, recognize that domestic violence matters are not the isolated difficulties of individual women and couples. When a problem is as pervasive as family violence, we must acknowledge that society and its values play a role in encouraging, or, at least condoning, such behavior. An effective program must include a prevention component which addresses cultural values and attitudes.

Second, understand that domestic abuse encompasses more than physical violence. Effective programs must recognize the ongoing, escalating nature of the problem, as well as the more subtle but no less effective means of control asserted by one party over the other.

Address the barriers which domestic violence victims face when they seek help from the courts or governmental agencies. These include fear or rejection; time constraints, especially during normal working hours; and lack of understanding of the workings of government.

With some attention to these issues, seen from the perspective of the client, a user-friendly system is a possibility. Within the second judicial district court, for example, a speedy, efficient, and supportive procedure for obtaining orders for protection has been developed. Thanks to an outstanding staff, the commitment of the court, and the Committee to Aid Abused Women, this system has recently been receiving national attention as a model system which protects the rights of domestic abuse victims within the courts.

Understand the connections between spousal abuse and child abuse. Recent studies demonstrate the clear correlation between in-

terspousal violence and child abuse within the same home. Child protection workers and battered woman's advocates should be trained to look for and identify evidence of violence of other family members. Programs should recognize this fact and provide services accordingly.

Provide support services. Batterers who are serious about changing their behavior need programs to teach new ways to deal with anger and frustration. Similarly, victims who no longer feel safe in their relationships need financial assistance, emotional support, job training, and other practical help if leaving is to be a real possibility.

All such services are costly. In the long run, it is money well spent. While no program or service alone will change a survivor's life, a coordinated community response, which includes prosecution of offenders, protection, support, and assistance, can create a communitywide environment in which family violence is no longer acceptable.

PREPARED STATEMENT

Finally, understand that domestic violence survivors are no different than the rest of us. They deserve the chance of a safe, satisfying life. Domestic violence programs should never forget that this is the goal that they are striving for.

I thank you, Senator Reid, for your interest in this issue, and I would be happy to provide any additional assistance you may request.

Senator REID. I do have some questions for you, if you would be kind enough to wait—

Mr. JORDAN. Certainly.

Senator REID [continuing]. Until we finish with the rest of the panel.

[The statement follows:]

STATEMENT OF SCOTT T. JORDAN

While it is unfortunate that domestic violence has become such a prevalent problem within our society, it is encouraging that leaders in both the Federal and State governments are beginning to address it. I believe that the primary responsibility for addressing domestic violence issues lies within the State court system, both regarding prosecution of criminal offenders and the issuance of orders in civil protection, divorce, or child custody cases. I see little benefit in creating concurrent or supplemental jurisdiction within the Federal court system.

I do, however, see a very important role for the Federal Government to play. You can insure the quality of State-run programs by setting standards for such programs and by providing the financial means necessary to allow realistic, high quality programs. I would like to offer a few thoughts as to how to assure that domestic violence programs meet the true needs of abuse victims.

First, recognize that domestic violence matters are not the isolated difficulties of individual women and couples. When a problem is as pervasive as family violence, we must acknowledge that society and its values play a role in encouraging, or, at least condoning, such behavior. An effective program must include a prevention component which addresses cultural values and attitudes.

Second, understand that domestic abuse encompasses more than physical violence. Effective programs must recognize the ongoing, escalating nature of the problem, as well as the more subtle but no less effective means of control asserted by one party over the other.

Third, address the barriers which domestic violence victims face when they seek help from the courts or governmental agencies. These include fear or rejection; time

constraints, especially during normal working hours; and lack of understanding of the workings of government.

With some attention to these issues, seen from the perspective of the client, a user-friendly system is a possibility. Within the second judicial district court, for example, a speedy, efficient, and supportive procedure for obtaining orders of protection has been developed. Thanks to an outstanding staff, the commitment of the court, and the Committee to Aid Abused Women, this system has recently been receiving national attention as a model system which protects the rights of domestic abuse victims within the courts.

Fourth, understand the connections between spousal abuse and child abuse. Recent studies demonstrate the clear correlation between interspousal violence and child abuse within the same home. Child protection workers and battered woman's advocates should be trained to look for and identify evidence of violence of other family members. Programs should recognize this fact and provide services accordingly.

Fifth, provide support services. Batterers who are serious about changing their behavior need programs to teach new ways to deal with anger and frustration. Similarly, victims who no longer feel safe in their relationships need financial assistance, emotional support, job training, and other practical help if leaving is to be a real possibility.

All such services are costly; in the long run, it is money well-spent. While no program or service alone will change a victim's life, a coordinated community response which provides protection, support, and assistance, can create a community-wide environment in which family violence is no longer acceptable.

Sixth, finally, understand that domestic violence victims are no different than the rest of us. They deserve the chance of a safe, satisfying life. Domestic violence programs should never forget that this is the goal they are striving for.

I thank you for your interest in this very important issue. I would be happy to provide whatever assistance you may request in the future.

BIOGRAPHY OF SCOTT T. JORDAN

Present position: Court master, Second Judicial District Court, Washoe County, Nevada. Responsible for juvenile court (delinquency, abuse, and neglect), domestic violence, child support enforcement, and certain other domestic relations matters. 1985-present.

Previous positions: Private practice of law, 1985-87.

Washoe County Public Defender's Office.

Chief Deputy Public Defender, 1983-85. Deputy Public Defender responsible for criminal defense in adult and juvenile cases, 1979-85.

University of Nevada, Reno, Department of Social and Health Resources, Adjunct Faculty, Law and Social Services, 1973-76.

Law Center for the Disabled: Legal advocacy for mentally disabled persons, 1977-79.

Washoe Legal Services, Staff Attorney, 1975-77.

Education: UCLA School of Law, J.D. received, 1975.

Pomona College, B.A. in Economics and Mathematics received, 1971.

STATEMENT OF MEREDITH HOFFARD

Senator REID. Merry Hoffard.

Ms. HOFFARD. I too would like to thank you for holding these hearings. The mere interest is very gratifying to those of us who have been working hard in this area for so many years.

I am Merry Hoffard. I am the director of the Family Violence Project for the National Counsel of Juvenile and Family Court Judges. Our national headquarters is here, at the University of Nevada Reno campus, and we have been involved in family violence since 1987.

I have to say that even 5 or 6 years ago, an organization like the National Counsel would not have touched this issue with a 10-foot pole. And when we got involved in this issue, we had no idea of the disarray we would encounter in State court systems and, in fact,

had to take several giant steps backward instead of forward to address some of those issues before we could begin doing what we had originally intended to do.

I want to say that I think also some of the statistics in the front of the room are a little misleading, and I will use an example from another court system. One of our projects was a city slightly larger than Reno, with mandatory arrest legislation. They were also under Federal court order for jail overcrowding. They also had inadequate procedures for handling arraignments and assisting women to testify.

So, the net result of 300 arrests per month was three successful criminal prosecutions per month. The net result of 250 restraining orders issued each month was less than three per month prosecuted for violation of restraining orders. And I think we have learned much in the last few years about how to change those kind of procedures, but there are not very many State court systems who have gotten to the point of implementing the kinds of things we have learned.

The National Counseling is surveying court systems for successful court programs around the country, which we will then evaluate and publish. And Reno is indeed one of the court systems considered to be a national model, but I can tell you that a nationwide survey revealed no more than 45 potential model programs. We do not know whether they are or not. But, out of thousands of State courts in this country, there was less than one per State which is adequately addressing the needs of women.

The other major area of disarray that we discovered was that of gender bias. And I, at one time, wanted to abandon the family violence project and take up gender bias, because, if we can address gender bias on the part of court professionals and the judiciary, we will go a long way in eliminating some of the problems with domestic violence in the court system.

I was lying in bed this morning trying to figure out how to say in 5 minutes the things that I wanted you to know, so I would like to depart from my testimony and tell you what my primary concerns are about Federal appropriations in this area.

The first is that, although we have made some progress in the legislation and with the authorizations, we have not made a lot of progress in the actual appropriations of those authorizations. And I know you know that, so maybe one of first goals ought to be just to appropriate what has been authorized. And even that will provide what many consider to be the minimal levels of assistance for both victim services and court system improvement.

Second, we—of course, I agree with what Scott has just said—that the court system is the system to address this kind of criminal behavior. We must continue to provide support at a national level for judicial training of technical assistants and model court programs.

What happens when we do this? The Federal effort so far has been mostly aimed at improving the law enforcement response. But, without the followup in terms of prosecution, without the followup once you convince prosecutors to provide resources and give them the expertise to prosecute these kinds of cases—then you have a whole group of judges who do not know what to do in the

courtroom. Once you educate the judges and tell them what appropriate dispositions are—we have a whole system that is not ready to handle all the batterers that are starting to come through.

There are inadequate probation resources and, especially, inadequate batterer's treatment programs. Our skill in the area of treating batterers is extremely low. I believe that we can develop skill in this area, but the resources have not been devoted to that. The few programs that exist and the little bit of research that has been done have varied, mixed results.

The most recent national research on court-mandated batterer's treatment indicated that there was no significant difference. So, while a lot of people are hesitant to provide resources to batterers when there are not adequate resources for victims, if we do not, we do not even begin to address eliminating the violence.

And last, the reason why the national counsel got involved in this area originally was because of our concern for the children in these homes; 80 percent of battering violent homes have children present. Children are direct victims themselves in at least 40 percent of those. More recent studies completed in Boston say that it is 70 percent.

PREPARED STATEMENT

And, as Scott also indicated, we do not address the children. We do not coordinate the services between children, protection, and victim advocates, and between family court and criminal court. It is time, I think, that all legislators, judges, court workers, victim advocates insure that the children—and there are millions of them—do not continue to suffer the abuse of growing up in a violent home.

Thank you.

[The statement follows:]

STATEMENT OF MEREDITH HOFFORD

It is an honor and a pleasure to be here today. I would particularly like to thank Senator Reid for his initiative and concern in holding these hearings. "The Struggle for Survival" is an apt description of what victims and battered women's programs have experienced for years and years. I am deeply appreciative that Senator Reid and others in the federal government are seeking to acknowledge the struggle and to offer assistance in the efforts to survive.

I am Merry Hofford, Director of the Family Violence Project of the National Council of Juvenile and Family Court Judges. Our national headquarters is here on the University of Nevada, Reno campus. The National Council is the nation's oldest judicial membership organization, currently representing over 2,500 judges and court professionals whose jurisdiction is juvenile and family matters. We provide training, technical assistance, research and data collection for the nation's juvenile and family courts. One of the special project areas to which our concern, attention and effort is currently directed is family violence. I will share with you some of the Family Violence Project activities, but first, please allow me to provide a brief overview of our perspective.

The problem of domestic violence crosses many disciplines. The most critical responsibilities, however, are within the legal system. Courts are responsible not only for deciding cases, righting wrongs, punishing those who violate our laws and protecting those who need safety and assistance. Courts also reflect to the parties and to all of society the values which must be brought to bear on the conduct of all citizens. Freedom from violence and oppression are at the very core of the founding values of this country.

Still, it has taken a hundred years to raise public consciousness and social concern about family violence in the United States. We now know that between 1.8 and 4

million American women are abused in their homes each year (Straus, Gelles & Steinmetz, 1980; Stark & Flitcraft, 1982) and, similarly, 2 million children are reported abused or neglected each year (American Humane Association, 1987). It is generally acknowledged that these official figures represent only the tip of the iceberg. In response, the past ten years have seen legislative reform in virtually every state in the nation. Laws have been enacted which: Provide for warrantless or mandatory arrest; strengthen criminal codes; and expand both civil and criminal options for victims.

A literal revolution has occurred during the last decade in the criminal justice system's approach to domestic violence cases. Such cases have come to make up a substantial part of the state courts' workload. The situation has reached critical levels as increased awareness and better laws have lead to substantially increased arrests, complaints filed, and many more requests for civil protection orders. Recent data from thirty-two states report 381,357 filings in family violence cases annually. Larger states such as California, Texas, and New York report domestic violence filings in the range of thirty-three to thirty-seven thousand annually.

The National Council of Juvenile and Family Court Judges has sought to provide leadership and assistance to state courts and the judiciary in the area of family violence since 1987. Most recently, we have issued a report, *Family Violence; Improving Court Practice*, which outlines many important steps that the Federal government and the states should take to address the problem of violence against women. The report is a unique guide, providing direction to the thousands of state courts struggling to keep pace and develop programs for responding to domestic violence appropriately. It is presented as an appendix to this testimony.

The National Council is engaged in a multi-pronged continuing effort to improve the court system's response to battered women and their children. Quite frankly, we have been shocked at the disarray which exists in the majority of state courts with regard to this problem, and the lack of direction for improvements. There are, however, some courts which have developed successful programs worth replicating. One of our current efforts, funded by the State Justice Institute, is to conduct a national survey of such programs, evaluate them by several criteria, and produce a book which fully describes state-of-the-art court programs in family violence for national distribution.

The National Council acknowledges the need to address the problems with the courts' response to domestic violence which arise from attitudes, values and gender bias on the part of the judiciary and other court personnel. The Council has concluded just this week an innovative training session for judges whereby they have been asked to examine their personal attitudes, values and biases, and the impact of these upon their conduct and judicial decision-making. We will continue our work in this ground-breaking area of judicial education. In addition, we will conduct numerous training events throughout the country specifically aimed at improving the court response to family violence.

Relative to the court system's response to domestic violence, Congressional leadership and support would be exceedingly helpful in several areas:

1. Increased attention to and funding for family violence training and technical assistance for the nations' judiciary in order to improve the state court response.
2. Funding to states and local jurisdictions for the establishment of family violence coordinating councils, children's programs and victim advocacy programs. This would logically occur through the U.S. Department of Justice, Bureau of Justice Assistance which is currently authorized to utilize funds for "improving the criminal and juvenile justice system's response to domestic and family violence, including spouse abuse, and the abuse of the elderly;" yet, for reasons unknown to us, funding under this authorized category has not been forthcoming.
3. Federal support for research and development of batterers treatment programs. Though many have been reluctant to request funding for batterers' treatment when dollars for victims' services are so scarce, a court response which does not attempt to address the elimination of violence toward the present or future victims is incomplete and short-sighted. Unfortunately, the success of the few batterers treatment programs in existence is mixed at best. We must develop some national expertise in this area.

Lastly, I would urge the Congress to do all it can to provide appropriations at the levels authorized in the Victims of Crime Act, the Family Violence Prevention and Services Act and the proposed Violence Against Women Act.

It is past time both the nation's state courts and the Congress respond to family violence as the terribly serious problem that it is; it is time the federal budget truly reflect our concern for victims of family violence; it is time our nations courts, and especially the judiciary, take action to insure an effective and preventative re-

sponse. Most important of all, we must insure that our children do not continue to suffer the emotional abuse that comes from growing up in a violent home.

Again, thank you, Senator Reid, for hosting these hearings and for providing the National Council the opportunity to share some of our thoughts and concerns with you.

STATEMENT OF DAN COPPA

Senator REID. We will now hear from the undersheriff.

Mr. COPPA. Thank you, Senator. On behalf of the Washoe County Sheriff's office, I would like to take a moment and digress for a second. I want to congratulate you on pronouncing Sue's name, originally, and I was wondering if you could do likewise for me. My name is Coppa. I would like to just draw on that, because you did it so well.

Senator REID. What did I call you?

Mr. COPPA. Coppa [Cop-ah]. It is actually Coppa [Coap-ah], C-O-P-P-A. [Laughter.]

So, I would like to go on the record as having that corrected, if we might.

Senator REID. But, they wanted me to call you Dan the cop. [Laughter.]

Mr. COPPA. It does work.

Senator, thank you, and on behalf of the Washoe County Sheriff's office and, particularly, Sheriff Swinney, it is a pleasure to be here before you.

I will state my remarks rather briefly in regards to what I observe, at least from my own perspective, of law enforcement in relationship to the domestic violence issue.

Domestic violence can be equated to a very sharp double-edged sword. One side of the sharp blade is wielded against its intended target, the victim, in order to inflict severe and devastating damage. The other side of the blade is equally as dangerous. It is wielded against the police officer who intervenes in the matter as a result of a call for assistance.

Domestic violence calls are one of the most frequent in patrol service. The responding officer must act with tact and understanding while, at the same time, being wary of the potential danger to himself or herself. This fear of the unknown and the unexpected compounds an already volatile situation. Emotions overshadow clear thinking. Physical and verbal abuse is prevalent. This was evidenced very clearly in an incident which occurred Sunday, February 3, 1991, in Incline Village, where lives were shattered both before and after the gunfire.

Today, we in law enforcement are better prepared through our training to deal more effectively with domestic violence situations. Much of this was made possible by passage of specific laws that made domestic violence a crime. Prior to such passage, domestic violence was considered a personal matter that severely hindered intervention from law enforcement.

Training and education specifically aimed at this problem has also made officers more sensitive to the plight of the domestic violence victims. Our goal now, through intervention, is to end the immediate danger and to protect the victim. Ending domestic violence is not achievable through only one component in society such as

law enforcement. Recognize that other elements in society, such as education and treatment, are vital to eradication of the very real problem of domestic violence. Support systems also play a significant role in ending abuse in the lives of women and children. Violence most often occurs from the personal relationship level, as in wife abuse and/or child abuse.

The Washoe County Sheriff's office, like other law enforcement agencies in this area, is called upon daily to respond to reports of domestic violence. These incidents range from verbal assaults to physical assaults, where injury may range from emotional battery to physical or sexual abuse.

From my perspective, societal change must continue in terms of education, enforcement, and treatment. More training of police is still needed on a statewide basis so that our responses are correct according to Nevada law.

Training for children and adults is vital. For children, this may include assertiveness, peer support, self-defense techniques, and available community resources. On the other hand, adults may be trained in strategies for dealing with children in crisis. This type of training, aimed at prevention, offers further protection to victims and to police.

Chapter 171 of the Nevada revised statutes mandates our enforcement response. Our response includes an array of activities, running from investigation, arrest and detention, to information dissemination.

Last, treatment plays a significant role in ending domestic violence. An increase in the number of emergency shelter beds is critical, locally and statewide. Victims are often turned away, placed on waiting lists, or referred to emergency facilities not geared to their particular needs. More professionals are needed to provide counseling and legal services for low-income victims.

PREPARED STATEMENT

Nevada ranks rather high in domestic assault cases. The need for education, enforcement, and treatment becomes critical. It is through these steps that bitterness in families could be put far from them so that their lives may be touched with faith, knowledge, understanding, and patience.

Thank you, Senator.

[The statement follows:]

STATEMENT OF DAN COPPA

Domestic violence can be equated to a very sharp double-edged sword. One side of the sharp blade is wielded against its intended target, the victim, in order to inflict severe and devastating damage. The other side of the blade is equally as dangerous. It is wielded against the police officer who intervenes in the matter as a result of a call for assistance.

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From January 1, 1990 through October 1, 1990 the Washoe County Sheriff's office responded to 247 reports of domestic violence. Arrests were made in over 50 percent of those cases.

From my perspective, societal change must continue in terms of education, enforcement, and treatment. More training of police is still needed on a statewide basis so that our responses are correct according to Nevada law. Training for children and adults is vital. For children, this may include assertiveness, peer support, self-defense techniques, and available community resources. On the other hand, adults may be trained in strategies for dealing with children in crisis. This type of training, aimed at prevention, offers further protection to victims and to police.

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As Nevada ranks rather high in domestic assault cases, the need for education, enforcement, and treatment becomes critical. It is through these steps that bitterness in families could be put far from them so that their lives may be touched with faith, knowledge, understanding, and patience.

Senator REID. Thank you very much. I have been impressed with the knowledge of the panelists.

I would ask, Merry, if you would refer to these charts. The charts you were referring to are those that indicate that it helps to call the police. And the other one, arrests deter battering—

Ms. HOFFARD. It indicates that 85 percent of women who do call for help are not reassaulted. Well, I would say you have to say first of all what happened when they called for help. That is, assuming that something good happened when they called for help.

And the second question is, did the rest of the court system follow up? Because, if it does not, then the word gets out on the street very quickly that it does not matter if you get arrested or not.

And the third question is, are they reassaulted and in what time period? And if that time period is 2 weeks or 30 days—well, a lot of those women were in the shelter for 30 days, so they were not going to be reassaulted anyway. Or, perhaps the man is in jail for a short period of time.

Senator REID. That is not the ordinary cycle of victim. Would that not be part of it?

Ms. HOFFARD. Right. Yes; it would. He is not likely to do that again the next week as much as he is the next 3 months or 6 months.

Senator REID. But, you would acknowledge that in a significant number of cases, if a woman does call the police and there is an arrest that takes place—arrest meaning that person is taken into custody—that it does deter further batterings?

Ms. HOFFARD. I would acknowledge that it decreases batterings for a certain period of time and that it has the potential to decrease them for a much longer period of time if additional things occur.

Senator REID. I have in my statement here—and I understand the point you are making. This is not meant to be argumentative, but we have had a number of people who told us, "I know how the police respond. So does my wife. I do not want to go to jail." We had, in our prior hearing, a batterer that testified, and he was quite clear in saying that he was afraid of being arrested.

Ms. HOFFARD. Yes.

Senator REID. Not being prosecuted. Not going to jail. But, just the embarrassment, the trauma—

Ms. HOFFARD. Of an arrest.

Senator REID [continuing]. Of being hauled off to jail.

Ms. HOFFARD. Now, that will work for batterers who are generally law-abiding citizens who respect the law.

Senator REID. Are embarrassed by being—

Ms. HOFFARD. Are embarrassed by being arrested.

Senator REID. Judge, could I have your comments on this, because it is my understanding—you correct me if I am wrong—here, in Washoe County, there is a mandatory arrest law. Is that right?

Mr. JORDAN. Yes; it is statewide, and to the best of my knowledge, it is followed very well.

Senator REID. OK. How is it enforced here? We found that in southern Nevada, even though there was a mandatory arrest law, it did not make much difference.

Mr. JORDAN. I would say that it is not enforced 100 percent, but the level of enforcement continues to increase. And one of the reasons that I believe the system in this community works so well is that there are lines of communication between the law enforcement agencies and the courts.

Just about every time I see a woman before me to get a protection order in which I feel that the mandatory arrest law has not been followed, I follow up with a personal contact to the law enforcement agency. So, the feedback continues to flow, so I think the level of enforcement on all levels is increasing.

Senator REID. Now, Judge, the only thing that we found in southern Nevada that—I was just stunned. I practiced law in the State of Nevada. The vast majority of my practice took place in the Las Vegas area. Even though I did cases in other places, that was generally where it took place. I did a lot of domestic relations work when I practiced law. Of course, that goes back almost 10 years now.

If a woman came to me who had problems with her husband—he had abused her or whatever the case might be—I could go to a judge and get a temporary restraining order signed with an order

of exclusive possession, in effect saying, you get out of the house until we get this worked out.

I was stunned that in Clark County they will not sign those orders anymore. It does not matter what the story is. The district court judges will not sign an order of exclusive possession. I could not believe it. But, the point of the matter is, if you reflect on it, I think it is a lot easier for the court.

These hearings relating to these temporary restraining orders, orders for exclusive possession, are very troublesome and take a lot of time. But, just to do away with them, what an unfair thing.

Now, please tell me that is not the way it is up here.

Mr. JORDAN. That is not the way it is up here.

Senator REID. Good. [Laughter.]

Mr. JORDAN. The statute that Jayne Bauer-Hughes discussed regarding orders for protection against domestic violence specifically allows the granting of ex parte orders in an emergency situation. That brings that within a different law and raises different issues than in a divorce context, where there is legitimate debate about whether ex parte orders are appropriate.

The way it works here is that we have a judicial officer, either myself or one of my colleagues, available all day, every day during working hours, to interview and meet with applicants for domestic violence orders and grant those orders if they are appropriate. In our county, from the time the woman walks into the courthouse to the time that she has her order, assuming that she qualifies for one—that period of time averages approximately 2 hours.

Senator REID. And that is a person who is sitting like you, uses your judicial discretion in making that determination?

Mr. JORDAN. Yes; and I might say that that figure is even more impressive because there are no lawyers involved in most of these cases. So that time period includes talking with protection order advocates, who are available in the courthouse under contract with the Committee to Aid Abused Women; filling out the paperwork, the application and affidavit supporting the request; setting forth what is requested; and, meeting with the judge. The court staff has to prepare all the orders because there is no attorney to do that. And we have a system, because of the support of the court system and others, that we can accomplish that.

Let me make one other comment, if I could, Senator, about your own personal history and how you handled cases in the past. The clients that came to you for legal representation were fortunate. They, first of all, had an attorney who was sympathetic and understood their needs, but they also had the means to have an attorney in the first place. And a great number of—

Senator REID. Not often enough. [Laughter.]

Mr. JORDAN. A great number of the parties that I see would not be able to hire counsel to pursue that, so one of the very strong and positive aspects of our law in this State is that the orders must be available through the court system without the need of counsel.

Senator REID. And it is my understanding that the new law is that, without a great deal of trouble, you can waive fees.

Mr. JORDAN. It is required that fees be waived at the initial step.

Senator REID. See, and that also is relatively new.

Mr. JORDAN. Yes; very positive.

Senator REID. The court costs alone are significant. I think that the way Washoe County handles these is just commendable. I cannot say enough, based on the hearing that we had on Tuesday. Some of these hearings indicated that it would take months before you could get around to the hearing as to possession of the home.

I guess, Judge, the question I have is that it appears to me that you feel the system, although imperfect—that you feel you have the system supporting what the court is trying to accomplish. Is that right?

Mr. JORDAN. The communitywide system?

Senator REID. Yes.

Mr. JORDAN. I think we are moving positively in that direction, and I am happy with the progress that we are making.

Senator REID. Sheriff, domestic violence calls are troublesome. We all know that. As I indicated in my opening statement, in one jurisdiction in southern Nevada, some 23,000 calls were handled last year—in excess of 23,000 calls. And like I indicated to the Judge, when he has certain duties to fulfill, he has to exercise his best judgment, his judicial discretion. That is also true of police officers. Is that right?

Mr. COPPA. That is right, Senator.

Senator REID. What guidelines are they given?

Mr. COPPA. Well, the guidelines come from any number of areas, but, specifically, from the Nevada revised statutes in reference to domestic violence plus any internal operating orders that exist within our agency. In our particular department, it would be the general orders that pertain to domestic violence, which are patterned very heavily, if not almost word-for-word, from the Nevada revised statute regarding domestic violence.

Discretion does play a role. I think that is something that has been a trademark, or hallmark, if you will, of American law enforcement. There are some things that are commanded, such as, "You shall arrest," and that makes it fairly specific, based upon a probable cause. And I think that is where you see discretion coming into play, in terms of determining the probable cause.

Senator REID. You indicated also, very briefly, that police officers are also aware of the danger involved when you go to someone's home. A home is a person's castle. These men who are beating their wives have been, in the past, able to do that in the confines of their own home without being bothered. And we have, in the work we have done, found numerous instances where police officers get killed by a batterer, and I am sure the police officers are aware of this. Is that right?

Mr. COPPA. That is exactly right. You will notice, too, that peculiar to your larger agencies, the fact that if you have a domestic dispute called, you will have a number of officers respond. And it gives the appearance of ganging up on someone, and that is not necessarily the impression that we want to give. It is more for the protection of not only the officer, but the people in the residence.

I alluded briefly in my comments to you about an incident at Incline Village which still remains under investigation. My point for alluding to that is how dangerous it really is, not only for us, but I hark back to the lady who is in the home because I had the occasion to spend some hours with her. I will not allude to that.

Senator REID. Part of the scope of this investigation is to give local law enforcement agencies incentives to set up special units for handling battered women, handling domestic violence calls. Do you think that would be of assistance to a relatively small agency, such as the Washoe County Sheriff's Department?

Mr. COPPA. If I can comment—if you look at small in terms of—if you wanted to define it by size, we are over 500, so we are not as large as the agency, of course, in Las Vegas.

Senator REID. Well, this is national legislation we are talking about.

Mr. COPPA. If you look at it, Senator, there is some merit to that type of thing, but I do have—I hark back to the role of the field officer, the patrol officer, who responds. My first focus is on that person. And having a special trained unit, I think, is kind of advantageous. It is kind of nice.

But, I am more for what is going to be done with that officer in the field who is actually going to confront it, because they are the ones that are going to be called to the calls and given limitations.

Having a special unit is very, very nice, and it certainly serves a useful function. But, Senator, I will be quite candid with you. I am a little reticent to do something like that. I have seen that back in the early 1970's, with Dr. Morton Bard, where he looked at crisis intervention as a family issue. That was the vogue in the 1970's, and that seems not to have worked very well.

Senator REID. If you look, though—let us take the reason I mentioned. I know that Washoe County has not received 23,000 domestic violence calls this past year, but let us assume that, using our sister city 450 miles from here, 23,000 calls. We also established Tuesday that the vast majority of these calls come during the night.

Mr. COPPA. Exactly.

Senator REID. Now, it would seem to me that at least one shift, a couple of officers, or four officers, or whatever might be determined, who are specially trained to handle these calls may alleviate some of the—you know, 1 minute a police officer is called upon to arrest somebody for speeding, and the next one he is out trying to solve some domestic beef. It would seem to me that there could be some benefit in the large police agencies, Detroit, Chicago, et cetera, where you would train some people to handle these crises.

Mr. COPPA. It would give some greater dimension to an agency and give it greater flexibility. It would be a decided benefit, and I think the benefit would not necessarily be for the police agency as much as it would be for the people who would be victims. And that I see as a benefit. But, looking at it from an agency of my size, for example—I look at the root, and, of course, that is the officer in the field. But, I think the decided benefit is to the victim, and that is what it is all about.

Senator REID. I appreciate very much, Judge, in your busy schedule—I appreciate your being here. M.J., I appreciate very much your being courageous in coming forward and sharing with us an all-too-common story that we do not hear enough about. Thank you very much. [Applause.]

STATEMENTS OF:

CAROL BOICE ON BEHALF OF SOCIAL SERVICES, NEVADA STATE WELFARE

JEANIE REANEY, SURVIVOR OF DOMESTIC VIOLENCE

MARGE LITTLEJOHNS, DIRECTOR, COMMUNITY RELATIONS, COMMITTEE TO AID ABUSED WOMEN

Senator REID. Our final panel today is entitled "Resources and Services Available." The three panelists are Carol Boice of the Social Services Department, Nevada State Welfare; Marge Littlejohns, Committee to Aid Abused Women; and, Jeanie Reaney, survivor.

I am having trouble with these names, especially when the type was not very good here. Is it Reaney?

Ms. REANEY. Yes, sir.

Senator REID. If we could hear first from you, Carol, it would be appreciated.

STATEMENT OF CAROL BOICE

Ms. BOICE. Good morning Senator Reid, my name is Carol Boice, I am a staff specialist for the Nevada State Welfare Division. My testimony today is on behalf of the welfare division as well as the multiprogram families it services.

Although the welfare division does not have a program specifically designed for families troubled by domestic violence, many of the programs we do have are available to these families.

Our experience with families indicate that a significant number of those receiving assistance from the welfare division have been impacted by domestic violence. This is particularly true in cases of child abuse and neglect, where there is a high correlation between those families referred for child abuse and neglect and those who are effected by domestic violence.

I will now discuss available income maintenance programs, employment services, medical services, social services, and the child support enforcement program.

First of all, we have cash assistance. We have the Aid to Dependent Children Program, which we call ADC. The purpose of the ADC Program is to encourage the care of dependent children in their homes or in the homes of relatives by furnishing financial and medical assistance. Clients who are available for ADC cash assistance, are automatically eligible for Medicaid for the payment of designated medical expenses.

The ADC Unemployed Parent Program is the result of the Family Support Act of 1988, which mandated an ADC-UP Program be implemented in all States by October 1, 1990. The unemployed parent must not, without good cause, have refused an offer of employment or training for employment within 30 days prior to receipt of aid.

Another program we have is the Emergency Assistance Program. The Emergency Assistance Program provides emergency services to needy families with dependent children who are in a temporary crisis situation because of a sudden reduction of their income, unexpected emergency expenses, or because they are homeless. Emergency assistance pays the cost of food, medical care, shelter, and

transportation for families in a crisis situation who are temporarily unable to care for their children. Emergency assistance is available for a maximum of 30 days every 11 months to any eligible person. The maximum dollar amount of cash assistance is \$500, unless a greater amount is approved by the Nevada State Welfare Division Administrator.

We also have the Food Stamp Program. The program is designated to raise the nutritional level among low-income households whose limited food-purchasing power contributes to hunger and malnutrition among members of the household.

We also have the Medical Assistance Program. We have different components of that program. One of them is called CHAP, or Child Health Assurance Program. CHAP provides Medicaid coverage and services to poor children under the age of 7, including unborns not otherwise eligible under any State welfare program.

We also have the Maternal/Obstetrical Medical Programs, which are also called MOMS. MOMS is a program that assists individuals eligible for Medicaid in gaining access to medical, social, educational, and other service. The program is designed to serve pregnant women without ongoing prenatal care who are Medicaid eligible and who have been determined to be at-risk or high-risk.

We also have the general Medicaid Program, the State and federally funded healthcare program for indigent Nevada residents who meet eligibility criteria.

We also have the Family Planning Services. Family Planning Services refer to items, supplies, and/or procedures in which the primary purpose is to prevent and/or plan pregnancy.

We also have the Early Periodic Screening Diagnosis and Treatment Program, which is called the EPSDT to us. EPSDT is a special title XX program which provides for early and periodic screening of persons under the age of 21 who are eligible for Medicaid. The services include health screenings and care, dental screenings and care, and hearing and vision screenings and care.

We also offer employment services through our division. We have the job opportunities and basic skills, which is called JOBS Program. JOBS is a federally mandated program providing employment, training, and support services to ADC clients. The services assist clients to become self-sufficient, thereby reducing long-term public assistance dependence and expenditures for the State.

JOBS services include an orientation and assessment process, development of individual employability plans, and employment and training workshops. JOBS also provides job search requirements, educational, development, and skill training, community work experience, on-the-job training, job development, and job referrals. JOBS, replaced with the Win Demo, and the Community Work Experience Program is now a component of JOBS.

JOBS clients, mandatory and voluntary, are eligible to receive payments for childcare, transportation, and special-needs items, for example, clothing or equipment required for an employment or employment training.

JOBS is a combination of Federal and State moneys.

Social services—as far as the range of services we offer—there we have the Child Protective Services. This is a system of services

on behalf of children who are in danger or who have been and may be abused, neglected, or exploited.

Services include public awareness, identification, evaluation, placement, counseling, and treatment. Child Protective Services is the entry point to the child welfare system. It is a child-centered and family focused range of services designed to protect children, preferably in their own home, from child maltreatment.

We have the title XX Social Services Block Grant Programs. Since October 1981, States have received title XX Federal funds for social services through a block grant. Social services are intended to help people with various problems, such as problems resulting from neglect and abuse and family difficulties.

Nevada uses social services block grant funds to provide, either directly or through contract, the following social services. We have adult placement basic needs service, child behavior and development services, child daycare, domestic violence services, employment services, family counseling, home-delivered meal service, homemaker services, information and referral services, protective services for adults, protective services for children, rehabilitation services, substitute care and treatment for children, and transportation services.

Although social services are provided primarily to low-income families and individuals, services such as protective services and information and referral are available to anyone who needs them.

We have daycare under title XX and JOBS Program. Child daycare is a program of comprehensive childcare supervision and protection of infants, preschool and school-age children for a portion of the 24-hour day in approved facilities. Daycare is available to eligible ADC and supplemental security income clients, other children at risk of abuse, neglect, or exploitation, and children in the custody and protection of the State welfare division.

We also have the Single Parent Program. The Single Parent Program provides medical care and/or maintenance for unmarried mothers planning relinquishment of their child for adoption and who are ineligible for ADC. Services here include pre- and postnatal care for birth mothers and their children, financial assistance, counseling, and adoptions arrangements.

Transportation is another thing we offer, again, under the JOBS Program. The transportation services are provided to clients of the JOBS Program for employment search and employment training.

PREPARED STATEMENT

We also have the Child Support Enforcement Program. The Child Support Enforcement Program identifies and locates absent parents. The Child Support Enforcement Program can assist a mother in legally establishing the paternity of her child. If no child support order exists, the Child Support Enforcement Program seeks to obtain a court order for support. If a support order exists, all legal remedies to enforce payment in accordance with the order are pursued.

I will be happy to answer questions.

Senator REID. Thank you. We will have some for you.

[The statement follows:]

JOINT STATEMENT OF MIKE CAPELLO AND THOM REILLY, SOCIAL SERVICES, NEVADA
STATE WELFARE DIVISION

RESOURCES AND SERVICES AVAILABLE

Good morning Senator Reid and members of the subcommittee, I am Mike Capello, social service specialist/Thom Reilly, chief of social services for the Nevada State Welfare Division.

My testimony today is on behalf of the welfare division, as well as the multi-problem families it serves. Although the welfare division does not have a program specifically designed for families troubled by domestic violence, many of the programs we do have, are available to these families. Our experiences with families indicate a significant number of those receiving assistance from the welfare division have been impacted by domestic violence. This is particularly true in cases of child abuse and neglect where there is a high correlation between those-families referred for child abuse and neglect and those who are affected by domestic violence. I will now discuss available income maintenance programs, employment services, medical services, social services, and child support enforcement programs.

CASH ASSISTANCE

Aid to Dependent Children (ADC)

Aid to Dependent Children-Unemployed Parent (ADC-UP)

The purpose of the ADC program is to encourage the care of dependent children in their homes or in the homes of relatives by furnishing financial and medical assistance. Clients who are eligible for ADC cash assistance are automatically eligible for Medicaid for the payment of designated medical expenses. The AFDC program is 50 percent Federal and 50 percent State funds. The ADC-UP Program is a result of the Family Support Act of 1988 which mandated an ADC-UP Program be implemented in all States by October 1, 1990. The unemployed parent must not, without good cause, have refused an offer of employment or training for employment within 30 days prior to receipt of aid.

Emergency Assistance Program

The emergency assistance program provides emergency services to needy families with children who are in a temporary crisis situation because of a sudden reduction of their income, unexpected emergency expenses or because they are homeless. Emergency assistance pays the cost of food, medical care, shelter and transportation for families in a crisis situation who are temporarily unable to care for their children. Emergency assistance is available for a maximum of thirty (30) days every eleven (11) months to any eligible person. The maximum dollar amount of cash assistance is \$500 unless a greater amount is approved by the NSWAD administrator.

FOOD STAMPS PROGRAM

The program is designed to raise the nutritional level among low-income households whose limited food purchasing power contributes to hunger and malnutrition among members of the household. The funding for food stamps is 75 percent federal and 25 percent state funds.

MEDICAL ASSISTANCE

Child Health Assurance Program (CHAP)

CHAP provides Medicaid coverage/services to poor children under the age of seven (7), including unborns, not otherwise eligible under any other state welfare program. The funding is 50 percent federal and 50 percent state monies.

Maternal Obstetrical Medical Program (MOMS)

MOMS is a program which assists individuals eligible for Medicaid in gaining access to medical, social, educational and other services. The program is designed to service pregnant women without ongoing prenatal care who are Medicaid eligible and have been determined to be "at risk" or "high risk."

Medicaid Program

The state/federally funded health care program for indigent Nevada residents who meet eligibility criteria.

Family Planning Services

Family planning services refer to items, supplies and/or procedures in which the primary purpose is to prevent and/or plan pregnancy. Family planning services include physician's services, physical exams, pap smears, birth control devices including condoms, vasectomies, tubal ligations and counseling. Funding is 90 percent federal and 10 percent state monies.

Early and Periodic Screening, Diagnosis and Treatment (EPSDT)

EPSDT is a special title XX program which provides for early and periodic screening of persons under age 21 who are eligible for Medicaid. Services include health screenings and care, dental screenings and care, hearing and vision screening and care, the program is 50 percent federal and 50 percent state funded.

EMPLOYMENT SERVICES

Job Opportunities and Basic Skills (JOBS)

Jobs is a federally mandated program providing employment, training and support services to ADC clients. The services assist clients to become self-sufficient, thereby reducing long-term public assistance dependency and expenditures.

Jobs services include an orientation and assessment process, development of individual employability plans, employment and training workshops.

Jobs also provides job search requirements, educational development and skill training, community work experience, on-the-job training, job development and job referrals. Jobs replaced the WIN-Demo and the community work experience program (CWEP) is now a component of jobs.

Jobs clients, mandatory and voluntary, are eligible to receive payments for child care, transportation and special needs items (i.e., clothing or equipment required for employment or employment training). Jobs is a combination of federal and state monies. Federal participation ranges from 50 percent to 90 percent of program costs.

SOCIAL SERVICES

Child Protective Services

Is a system of services on behalf of children who are in danger of or who have been or may be abused, neglected or exploited; including public awareness, identification, evaluation, placement counseling and treatment.

Child protective services is the entry point to the child welfare system, it is a child-centered and family-focused range of services designed to protect children, preferably in their own home, from child maltreatment.

Title XX Social Services Block Grant

Since October 1981, states have received Title XX federal funds for social services through a block grant. Social services are intended to help people with various problems such as: problems resulting from neglect and abuse, and family difficulties. Nevada uses social services block grant funds to provide, either directly or through contract, the following social services: adult placement; basic needs service; child behavior and development services, child day care, domestic violence services; employment services; family counseling, home delivered meals service; homemaker services; information and referral services; protective services for adults; protective services for children, rehabilitation services; substitute care and treatment for children; and transportation services. Although social services are provided primarily to low-income families and individuals, services such as protective services and information and referral are available to anyone who needs them.

DAY CARE (TITLE XX AND JOBS PROGRAM)

Child day care is a program of comprehensive child care supervision and protection of infants, preschool and schoolage children for a portion of the 24-hour day in approved facilities, day care is available to eligible ADC and Supplemental Security Income (SSI) clients, other children at risk of abuse, neglect or exploitation, and children in the custody and protection of the State welfare division. Day care is funded 100 percent federal dollars through the title XX program.

Single Parent Program

The Single Parent Program provides medical care and/or maintenance for unmarried mothers planning relinquishment of their child for adoption and who are ineligible for ADC. Services include pre- and post-natal medical care for birth mothers

and their children, financial assistance, counseling and adoption arrangements, the program is federally funded 100 percent.

Transportation (Jobs Program)

Transportation services are provided to clients of the jobs program for employment search or employment training.

CHILD SUPPORT

The Child Support Enforcement Program identifies and locates absent parents. The Child Support Enforcement program can assist a mother in legally establishing the paternity. If no child support order exists, the Child Support program seeks to obtain a court order for support. If a support order exists, all legal remedies to enforce payment in accordance with the Order are pursued.

At this time, I would be glad to answer any question of provide additional information to the committee.

BIOGRAPHY OF THOM REILLY

Thom Reilly is Chief of Social Services for the Nevada State Welfare Division, where he is responsible for administering welfare service programs including: adult and child protective services, substitute care, adoptions, adult and child homemaker services, foster and group home licensing, independent living activities, and refugee services. He has his masters in Social Work from Arizona State University and is currently serving on the Executive Committee for the National Association of Public Child Welfare Administrators (NAPCWA). In addition, he is on part-time faculty of the University of Nevada, Reno-School of Social Work.

Reilly previously worked in child welfare programs and policy development, and has direct casework experience in Arizona and Tennessee.

STATEMENT OF JEANIE L. REANEY

Senator REID. Could we hear now from Jeanie Reaney?

Ms. REANEY. Good morning Senator, 10 years ago, I was living in a nightmare. I was isolated from my friends. My telephone calls were listened to. My most cherished possessions were smashed and broken. In the middle of the night, I was repeatedly dragged out of bed and screamed at, or I would wake up with my loved one sitting on my chest, his knees pinning my arms down to the bed. And he would repeatedly punch me in the mouth for no reason whatsoever.

I was too ashamed to turn to my family, so I turned to friends and acquaintances, who told me I deserved to be hit or who did not want to hear from me at all. I went to work with bruises on my face, and my coworkers turned away from me and acted embarrassed. I went to the doctor with stress-related illnesses, and the doctor did not want to know why I was sick. I went to a county agency to speak to a counselor.

The counselor did listen to my story, but did not tell me I was a battered woman or tell me that I had options other than living in a violent environment. Had the counselor done so, I would have probably left my violent environment months earlier.

In the end, I discovered I was a battered woman and went to the local library and checked out books on domestic violence. It was only then that I discovered that I was not alone and that I did not have to live in violence.

I was luckier than most battered women in that I had a marketable skill: I knew how to type. I had a job as a secretary/receptionist that paid \$5 an hour. I lived at poverty level on the \$5 an hour, but, at least, I did not have children to support.

Today, as you know, battered women have hotlines they can call for emotional support and alternatives. There are also safe houses across the country where women and their children can go and live for up to 30 days in order to escape their batterer, but this still is not enough.

When a battered woman takes her children and runs in the middle of the night, she is running for her life. She has not had time to grab clothing and toiletries for her and her children, and chances are, she has no money for food or for a place to stay. If she is lucky, there is a shelter in the community in which she and her children can stay for a limited period of time. If not, she must rely on the support of friends or family, who usually are not set up to house an extra woman and her children.

Once a woman has found a temporary, safe place to stay, she must begin to think about pushing her case through the legal system. She must think about finding affordable housing for her and her children. She must begin applying for financial aid and/or food stamps. She must begin looking for a job and/or training for herself, and, in order to work, she must find affordable childcare.

Completing all these tasks can take months and sometimes years. And all these things that a woman must do for her children and herself to survive are stressful enough on their own, but adding the extra dimension of running from a batterer even increases this.

A recent study done in Santa Barbara, CA, has shown that when a woman can actually take control of her life, when she has the means to accomplish all the tasks that she must do in order to survive, a stay in a safe house can reduce the likelihood of new violence.

For a woman who cannot take care of her life, cannot find affordable housing, cannot find afford childcare, shelters may have no impact at all. In fact, it may trigger future violence when a woman must return to the financial support of her batterer.

Oftentimes, a woman is judged as weak when she is a battered woman. I would like to suggest to you that battered women are some of the bravest women you will ever meet. A battered woman is brave because she will stay in a violent environment and suffer abuse in order for her children to have a roof over their heads.

PREPARED STATEMENT

The battered woman is also brave when she makes the decision to leave. She is brave because she must battle the system for simple survival.

Senator REID. Thank you very much for your moving testimony.
[The statement follows:]

STATEMENT OF JEANIE L. REANEY

Ten years ago I was living in a nightmare. I was isolated from my friends. My telephone calls were listened to. My most cherished possessions were smashed and broken. In the middle of the night, I was repeatedly dragged out of bed and screamed at, or I would wake up with my loved one sitting on my chest, his knees pinning my arms down to the bed. And he would repeatedly punch me in the mouth for no reason whatsoever.

I was too ashamed to turn to my family, so I turned to friends and acquaintances, who told me I deserved to be hit or who did not want to hear from me at all. I went

to work with bruises on my face, and my coworkers turned away from me and acted embarrassed. I went to the doctor with stress-related illnesses, and the doctor did not want to know why I was sick. I went to a county agency to speak to a counselor.

The counselor did listen to my story, but did not tell me I was a battered woman or tell me that I had other options other than living in a violent environment. Had the counselor done so, I would have probably left my violent environment months earlier. In the end, I discovered I was a battered woman and went to the local library and checked out books on domestic violence.

I was luckier than most battered women in that I had a marketable skill: I knew how to type. I got a job as a secretary/receptionist that paid \$5 an hour. I lived at poverty level on the \$5 an hour, but, at least, I did not have children to support.

Today, battered women have hot-lines they can call to receive emotional support and alternatives when they are living in a violent home. Also, there are safe houses across the country where women and their children can go and live for up to 30 days in order to escape their batterer, but this still is not enough.

When a battered woman takes her children and runs in the middle of the night, she is running for her life. She has not had time to grab clothing and toiletries for her and her children, and chances are, she has no money for food or for a place to stay. If she is lucky, there is a shelter in the community in which she and her children can stay for a limited period of time. If not, she must rely on the support of friends or family, who usually are not set up to house an extra woman and her children.

Once a woman has found a temporary, safe place to stay, she must begin to think about pushing her case through the legal system. She must think about finding affordable housing for her and her children. She must begin applying for financial aid and/or food stamps. She must begin looking for a job and/or training for herself, and, in order to work, she must find affordable childcare.

Completing all these tasks can take months and sometimes years. All these things which must be done in order for a woman and her children to survive are stressful on their own without adding the extra dimension of running from a batterer.

A recent study done in Santa Barbara, CA has shown that when a woman can actually take control of her life—when she has the means to accomplish all the tasks that she must do in order to survive, a stay in a safe house can dramatically reduce the likelihood of new violence. For woman who cannot take care of their lives—cannot find affordable housing or affordable childcare—shelters may have no impact at all, or, worse may actually trigger future violence when a woman must return to the financial support of her batterer.

Oftentimes, a woman is judged as weak when she is a battered woman. I would like to suggest to you that battered women are some of the bravest women you will ever meet. A battered woman is brave because she will stay in a violent environment and suffer abuse in order for her children to have a roof over their heads. The battered woman is also brave when she makes the decision to leave. She is brave because she must battle the system for simple survival.

STATEMENT OF MARGE LITTLEJOHNS

Senator REID. We will now hear from Marge Littlejohns, who is with the Committee to Aid Abused Women.

Ms. LITTLEJOHNS. Good morning, I am Marge Littlejohns, and I am speaking here today on behalf of the Committee to Aid Abused Women, an organization for families. CAAW is a community-based, nonprofit agency, and we provide emergency and direct client services to the victims of domestic violence in Reno, Sparks, and in Washoe County.

The incidence of domestic violence in this country has reached staggering proportions. Each year, hundreds of thousands of women and children become victims of this devastating crime and, as a result, are severely injured, maimed, or killed. FBI stats show that nearly one-third of all female homicide victims are killed by their husbands or boyfriends. Figures from the National Bureau—

Senator REID. Would you give me those figures again?

Ms. LITTLEJOHNS. This is 1987 FBI stats, by the way. Nearly one-third of all female homicide victims are killed by their husbands or boyfriends, and figures from the National Bureau of Justice stats, in the national crime survey—and this, again, is 1982-84—indicate that 53 percent of all violent crimes against women are committed by a relative or an acquaintance.

Further, the Bureau found that crimes in which the victim and offender are related are more likely to result in physical injuries than crimes in which the victim and offenders are strangers.

Locally, we have not been immune. Some of CAAW's clients have suffered disabling injuries, while others have died at the hands of their abusers.

Domestic violence cannot be ignored. The social costs are far too high. Families torn by domestic violence are finding themselves on the road to self-destruction. Children from these troubled homes are learning violence as a way of life, and victims are becoming homicide stats.

Once considered an invisible crime, domestic violence has become a matter of public attention. Across the country, new laws are being passed. And new programs and policies are being implemented to help ease the suffering of families torn by domestic violence and to encourage vigorous criminal prosecution of offenders. Meanwhile, domestic violence programs continue to provide emergency and supportive services to an ever increasing number of women and children who fall victim to this crime.

The Committee to Aid Abused Women is one of these domestic violence resources. A community-based, nonprofit agency, CAAW was formed in 1977. Since its inception, CAAW has provided shelter and emergency and continuing supportive services to over 17,000 victims of domestic violence in Washoe County. During fiscal year 1989-90, CAAW provided services to more than 6,600 clients.

Our direct client services include a 24-hour crisis hotline, emergency shelter, transportation, food and clothing, support groups, help with childcare, crisis counseling, legal support and referrals, protection order assistance and advocacy, and preventive education and services through its Children's Program. We also provide followup services through our transitional family project.

Community education and outreach has been one of CAAW's major efforts. Staff volunteers, board and committee members provided over 635 hours of community outreach in calendar year 1990, speaking to an audience of 16,000 people and agencies in the local community.

The organization's work with the Nevada State Legislature had been instrumental in helping establish laws in Nevada and, specifically, in addressing domestic violence issues and laying the groundwork for funding through marriage license fees. Sensitivity and inservices training is aimed at local human service agencies, law enforcement entities, the judicial system and the medical community, as well as the general public.

For the past 14 years, the Committee to Aid Abused Women has worked hard to encourage community awareness and support in all areas involving domestic violence while expanding our programs to provide more direct client services and continued support. Mean-

while, CAAW continues to seek avenues that will help with the long-term goals of families who struggle to begin violence-free lives for themselves and their children.

To CAAW, as with domestic violence programs nationwide, it has become more and more apparent that providing emergency shelter and support services for families in crisis is no longer enough for those who seek self-sufficiency in lives that are violence-free. The reality is that when women leave shelters, they are faced with countless obstacles.

Although some legal services are available to those who cannot afford to hire a private attorney, the services provided are limited. In order to accommodate an ever increasing case load and demand for services, these programs generally focus on legal issues pertaining to basic needs, tenant issues, some domestic violence issues, and uncontested divorces.

A high percentage of women are unemployed and have no source of income of their own. For example, virtually all of our shelter residents are considered low-income by the Federal Department of Housing and Urban Development. Affordable legal assistance is practically impossible for them to obtain, and their cases can become more complex. Their divorces are usually contested, and there are likely to be problems with property settlements and issues regarding child support, child custody, and visitation rights.

In 1987, with the help of Washoe County Commissioners, CAAW contracted with Washoe County Social Services to assist victims of domestic violence with their application for protection orders. CAAW staff and volunteers, located in the protection order office at Washoe County Courthouse, work closely with court personnel, court masters, the sheriff's civil division, and law enforcement agencies. This successful program has become a model for other States and counties across the country. In 1990 alone, 2,586 orders were processed in Washoe County.

Again, a high percentage of battered women, especially those with children, are unemployed or employed in low-paying jobs. Cost stats for calendar year 1990 state that 65 percent of our shelter residents were unemployed. As new economic heads of their household, battered women need to be able to rely on themselves to provide for their families.

More comprehensive job-training programs which include some provision for childcare can allow these families to get off public assistance and increase their opportunity for economic independence. Over 71 percent of children in CAAW's emergency shelter are under 5 years of age. While they are housed in our shelter, help with childcare is provided so that moms can look for jobs, attend school, and keep their medical, court, and other appointments. But, that is only for a period of 30 days. What happens after that?

Although childcare services are available in the community, the demand for affordable childcare has increased in contrast to Aid to Dependent Children, ADC. The ADC payments have been reduced, and the waiting period to receive them has been extended. In our area, title XX childcare funding has been reduced over the past 8 years, and Head Start cannot serve but a small percentage of those who are eligible.

Meanwhile, if a mother cannot provide adequate income, housing, and care for her children, she risks losing them. They can be placed in foster care, becoming wards of the State. Or, even worse, custody is given to the father, and the children are literally handed back to a known batterer for economic reasons alone.

One of the biggest obstacles faced by battered women is affordable housing. Section 8 housing is provided through the Reno Housing Authority in our area. The applicant's name is placed on a waiting list, and the timeframe for occupancy is between 1 to 2 years. Reno's only transitional housing project, the Mirador, offered a temporary solution to the housing problem on a short-term basis.

For families moving out of CAAW's emergency shelter, the Mirador provided an avenue to independence. Many of them moved from the shelter to the Mirador, which provided low-income housing, while they waited for their section 8 housing, or saved rent and deposit money for places of their own. Because of a recent HUD determination, it is highly likely that the Mirador will be converted from a transitional housing facility for homeless families to one for the mentally ill homeless.

CAAW has been working to respond to the need for affordable housing and supportive services for our clients' postemergency shelter. In 1988, the staff and board of directors of the Committee to Aid Abused Women prioritized the need for a housing program that extended beyond the shelter which would provide affordable, long-term housing for families and improve their chances for self-sufficiency in violence-free lives.

In addition to providing low-cost housing, the project was designed to offer individual goal-planning and developmental programming for parenting skills, networking skills, job training, health and nutritional aid, financial education, stress management, and continuing support groups. All programs would be available onsite, with childcare facilities to encourage resident participation.

After nearly 12 months of searching by our ad hoc committee on transitional housing, a suitable property was identified. Fundraising began in earnest. On August 31, 1990, CAAW was awarded a \$780,000 nationally competitive HUD grant for its transitional housing project, the first of its kind in Nevada. The city of Reno granted \$100,000 to the project, and Washoe County and State of Nevada granted \$141,000.

Just about 2 weeks ago, after a wait of 2½ months, HUD rendered a determination letter on this proposed site, stating that, because the site was occupied, CAAW would have to find an unoccupied apartment complex or pay relocation costs to existing tenants. While we have until March 4 to respond to this determination, the project is in definite jeopardy of not being implemented.

With the current economic recession and the war in the gulf, it appears highly unlikely that future funding for transitional housing from HUD, via the McKinney Act, will be forthcoming. Meanwhile, the opportunity for violence-free lives for women and children in Washoe County has been placed on hold.

On the bright side, in relation to Federal funding support for domestic violence programs, two absolutely critical sources have been the Family Violence Prevention and Services Act and the victims

of crime assistance—that is, the VOCA program. Both of these sources are passed down to the States for distribution. These funds have supported the growth of CAAW's services as well as most of the other 13 domestic violence programs in Nevada. Additionally, CAAW has received support from the city of Reno through its allocation of HUD's community development block grant funds every year since 1980. These sources should be continued and extended where possible.

I am the director of community relations for CAAW, and I do most of our public speaking. One of the very first questions that people ask me about a battered woman is, "Why does she stay?"

PREPARED STATEMENT

Faced with obstacle after obstacle, the question is, "How can she possibly leave?" When we advocate for battered women and their children, we advocate for a simple, basic right: for a life that is healthy, productive, safe, and free from violence. It is not just their right; it is everyone's right. More than ever, we need the resources of the community, public and private support, and strong Government funding, both locally and on the national level, if we hope to offer an opportunity for these individuals to make real changes in their lives.

Thank you, Senator Reid. [Applause.]

[The statement follows:]

STATEMENT OF MARGE LITTLEJOHNS

My name is Marge Littlejohns, I am speaking here today on behalf of the Committee to Aid Abused Women, [CAAW], an organization for families. CAAW is a community-based, nonprofit agency that provides emergency and direct-client services to the victims of domestic violence in Reno, Sparks, and in Washoe County.

The incidence of domestic violence in this country today has reached staggering proportions. Each year, hundreds of thousands of women and children become victims of this devastating crime and as a result, are severely injured, maimed or killed. 1987 FBI statistics show that nearly a third of all female homicide victims are killed by their husbands and boyfriends. Figures from the National Bureau of Justice Statistics (National Crime Survey 1982-84) indicate that 53 percent of all violent crimes against women are committed by a relative or an acquaintance. Further, the Bureau found that crimes in which the victim and offender are related are more likely to result in physical injuries than crimes in which the victim and offenders are strangers. Locally, we have not been immune. Some of CAAW's clients have suffered disabling injuries while others have died at the hands of their abusers.

Domestic violence can no longer be ignored; the social costs are far too high. Families torn by domestic violence are finding themselves on the road to self-destruction. Children from these troubled homes are learning violence as a way of life, and victims are becoming homicide statistics.

Once considered an invisible crime, domestic violence has become a matter of public attention. Across the country, new laws are being passed. And new programs and policies are being implemented to help ease the suffering of families torn by domestic violence and to encourage vigorous criminal prosecution of offenders. Meanwhile, domestic violence programs continue to provide emergency and supportive services to an ever increasing number of women and children who fall victim to this devastating crime.

The Committee to Aid Abused Women, [CAAW], an organization for families is one of these domestic violence programs. A community-based, nonprofit agency, CAAW was formed in 1977. Since its inception, CAAW has provided shelter, emergency and continuing supportive services to over 17,000 victims of domestic violence in Washoe County. During fiscal year 1989-90, CAAW provided services to more than 6,600 clients. Our direct-client services include a 24-hour crisis hotline, emergency shelter, transportation, food and clothing, support groups, help with childcare,

crisis counseling, legal support and referrals, protection order assistance and advocacy, and preventive education and services through its Children's Program. We also provide followup services through our transitional family project.

Community education and outreach has been one of CAAW's major efforts. Staff volunteers, board and committee members provided over 635 hours of community outreach in calendar year 1990, speaking to an audience of over 16,000 people and agencies in the local community. The organization's work with the Nevada State legislature had been instrumental in helping establish laws in Nevada specifically addressing domestic violence issues and laying the groundwork for funding through marriage license fees. Sensitivity and in-service training is aimed at local human service agencies, law enforcement entities, the judicial system, and the medical community as well as the general public.

For the past 14 years, the Committee to Aid Abused Women has worked hard to encourage community awareness and support in all areas involving domestic violence while expanding our programs to provide more direct-client services and continued support. Meanwhile, CAAW continues to seek avenues that will help with the long-term goals of families who struggle to begin new violence-free lives for themselves and their children.

To CAAW, as with domestic violence programs nationwide, it has become more and more apparent that providing emergency shelter and support services for families in crisis is no longer enough for those who seek self-sufficiency and lives that are violence-free. The reality is that when women leave shelters, they are faced with countless obstacles.

(Unaffordable or unavailable legal assistance): Although some legal services are available to those who cannot afford to hire a private attorney to represent them, the services provided are limited. In order to accommodate an ever increasing caseload and demand for services, these programs generally focus on legal issues pertaining to basic necessities, tenant issues, some domestic violence issues and uncontested divorces.

A high percentage of battered women are unemployed and have no source of income of their own. For example, virtually all of our shelter residents are considered "very low-income" by the Federal Department of Housing and Urban Development. Affordable legal assistance is practically impossible for them to obtain, and their cases can become more complex. Their divorces are usually contested, and there are likely to be problems with property settlements, and issues regarding child support, child custody, and visitation rights.

In 1987, with the help of Washoe County Commissioners, CAAW contracted with Washoe County Social Services to assist victims of domestic violence with their applications for protection orders. CAAW staff and volunteers, located in the protection order advocate's office at the Washoe County Courthouse, work closely with court personnel, court masters, the sheriff's civil division, and law enforcement agencies. This successful program has become a model for other States and counties across the country. In 1990 alone, 2,586 orders were processed in Washoe County.

(Employment and job training): Again, a high percentage of battered women, especially those with children, are unemployed or employed in low-paying jobs. CAAW statistics for calendar year 1990, state that 65 percent of shelter residents were unemployed. As new economic heads of their households, battered women need to be able to rely on themselves to provide for their families.

More comprehensive job-training programs which include some provision for childcare, can allow these families to get off public assistance and increase their opportunity for economic independence.

(Child care): Over 71 percent of children residing in CAAW's emergency shelter are under 5 years of age. While they are housed in our shelter, help with childcare is provided so that the mothers can look for jobs, attend school, and keep medical, court, and other appointments. But, that is only for a period of 30 days. What happens after that?

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Meanwhile, if a mother cannot provide adequate income, housing, and care for her children, she risks losing them. They can be placed in foster care, becoming wards of the State, or even worse, custody is given to their father and the children are literally handed back to a known batterer for economic reasons alone.

(Affordable housing): One of the biggest obstacles faced by battered women is affordable housing. Section 8 housing is provided through the Reno Housing Author-

ity in our area. The applicant's name is placed on a waiting list and the timeframe for occupancy is between 1 to 2 years. Reno's only transitional housing project, the Mirador, offered a temporary solution to the housing problem on a short-term basis.

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One of the very first questions that people ask us about a battered woman is, "Why does she stay?" Faced with obstacle after obstacle, the question is, "How can she possibly leave?" When we advocate for battered women and their children, we advocate for a simple, basic right; for a life that is healthy, productive, safe, and free from violence. It is not just their right; it is everyone's right. More than ever, we need the resources of the community, public and private support, and strong Government funding, both locally and on the national level, if we hope to offer an opportunity for these individuals to make a real changes in their lives.

BIOGRAPHY OF MARGE LITTLEJOHNS

Personal.—I am 48 years old, single, and have lived and worked in the Reno/Sparks area since arriving here in 1968.

Employment history.—I have worked in the private sector since my graduation from high school. I began my secretarial career at Shulton, Inc., in Clifton, New Jersey, and worked for Hackensack Ford, a large Ford automobile agency prior to relocating to Nevada in 1968.

My secretarial career continued in Nevada. I worked for Sea & Ski Corporation as secretary to the Director of Manufacturing and was later promoted to Order Department Supervisor for Smith Kline Corporation, Sea & Ski's parent corporation. When Sea & Ski's facility was closed in Reno, I worked for both nationwide and local architectural firms.

History with Committee to Aid Abused women.—My association with the Committee to Aid Abused Women begin when I was invited to become a member of their Board of Directors. I participated in that capacity for several months and then took a leave of absence from the Board to work as CAAW's secretary/receptionist.

In February 1987, I became a permanent member of staff continuing as the organization's secretary/receptionist. In April 1989, I was promoted to Director of Community Relations.

Director of community relations/CAAW.—One of CAAW's major goals is to educate the public, not only about the services provided, but on domestic violence itself and the problems surrounding it. My job responsibilities include producing CAAW's quarterly newsletter (distributed to 6,000 readers), coordinating events and educational conferences, speaking to local service organizations, businesses and schools, and providing in-house and sensitivity trainings to local hospitals, law enforcement and court personnel and other public and social service agencies. I serve as media liaison and produce PSA's and public service announcements. During Calendar Year 1990, my Outreach Committee, along with staff, provided over 635 hours of outreach and education to an audience of over 16,000 people. Other duties include producing and updating literature and brochures and I participate in local health and information fairs and conferences. I am a peer counselor/advocate for women and children, advocate for clients at court hearings, and work on the 24-hour crisis hot line.

Personal comments.—Coming from more than 20 years in the private sector, I had a lot to learn about CAAW and domestic violence. As I learned how to educate others, I gained invaluable personal education and insight. I identified myself as a formerly battered woman. Today, I am determined to provide the education, tools and resources that victims of domestic violence need to make a positive change in their lives for themselves and their children, and to educate the community and enlist their support so that all of us can live lives that are violence-free.

Senator REID. Jeanie, if I could ask without embarrassing you—because I am sure you are already embarrassed by being here. I think that one of the questions that someone would ask in listening to your testimony is, "What do you mean? You are awakened in the middle of the night and beaten—hit in the mouth for no reason?" That, to a lot of people sounds farfetched.

Ms. REANEY. I imagine that it does, but the way that a batterer works is that he does not need much to be provoked to hit. I was literally woke up in the middle of the night and hit in the face for, at that time, no reason whatsoever. When asked the next day, "Why did you do this to me?" I was dismissed because he did not want to talk about it.

Senator REID. Did you ever find out why?

Ms. REANEY. Well, in his mind, one of his friends had told him that I was—I liked everybody. He wanted to know what he meant by that. That will give you an idea of how a batterer's mind works.

Senator REID. First of all, do you have children?

Ms. REANEY. No, sir; I do not.

Senator REID. The question I have is, do you think if a man beats his wife or companion, that there is more likelihood that he will beat the children? Does anyone know?

Ms. LITTLEJOHNS. Well, I do not know if he is more likely to beat the children or not. There are a lot of examples of children being injured also in families where domestic violence is occurring. Sometimes the children do get hurt, but a lot of times it is accidentally that the kids will get in the way. Maybe they are trying to protect mom, for example, when they get in the way and are accidentally hurt.

I think that, in general, the worst possible way that the children are hurt in a situation where there is family violence occurring is that they are learning a behavioral pattern that they will carry on through their generation and into the next.

Senator REID. And Jeanie, you understand that I am asking these questions because I think we need this on the record.

Ms. REANEY. Yes; I do.

Senator REID. I am not questioning that this happened. We have had numerous cases just like this where it happened, and, as I told the other two survivors, I really appreciate your being here. And I think it also speaks volumes of those people who have not gotten themselves on their feet like you and the two prior survivors that spoke. I think of those numerous people out there who cannot come forward and testify, so I admire and respect very much your being here.

Ms. REANEY. Senator?

Senator REID. Yes.

Ms. REANEY. I would like to add to that. There is a lot of shame involved—that our society perpetuates in dealing with a battered woman. One of the reasons why battered women will not come forward is because, at every corner they turn, they hit a roadblock.

My examples that I gave you were not uncommon. Oftentimes, even in today's society, even though we have many wonderful programs, a woman will go and seek help. And oftentimes, she is met with the attitude that she deserved to be hit; that she somehow asked to be hit. So, this is one of the reasons why women will not come forth and speak—because, when they do make an attempt, people question them.

Senator REID. Also, you have an asset that a lot of women do not have, and that is the ability to type.

Ms. REANEY. Yes.

Senator REID. And I say that knowing that one of the most sought-after people in today's society is someone who can type. It used to be, of course, that secretarial skills were something that women did only. And, as a result of that, women are branching out, and secretaries are difficult to find. I am sure you know that the skill that you have is one that—there are not many typists around. Some women literally have no skills, and it makes it real, real tough.

How many beds do we have in Washoe County—emergency beds for battered women?

Ms. LITTLEJOHNS. Our emergency shelter can house up to 20 women and children at one time.

Senator REID. Are there other shelters that take battered women?

Ms. LITTLEJOHNS. That take battered women? No; there are other homeless shelters.

Senator REID. Yes; I am aware of the homeless shelters. So, we have only 20 beds.

Ms. LITTLEJOHNS. For Washoe County area. And then you have the other programs throughout the State of Nevada.

Senator REID. So, if a woman has two children, that means that she takes three beds?

Ms. LITTLEJOHNS. That is right.

Senator REID. I visited a transitional housing facility, the Mirador. And that is really bureaucracy at its worst. To find that, after all the good work that has gone into that facility, now, for some

technical reason—it was originally approved by HUD—they are going to come back and try to change that.

Jack Kemp, you know, was talking about running for president and all those kind of good things. I am going to put him to the test here, and see how many—[Applause.]

This really is an example of how Government should not react to a program that has been successful.

First of all, the facility is not all that good to begin with, but what has been done to make that facility meet the needs of families trying to get on their feet—I mean, to set up those kitchens the way they have. I walked through there last night at dinner time. There were a number of families cooking in their individual kitchens.

I went into one lady's home, or temporary home. She has two little boys, a 4-year-old and a 6-year-old. And, by the standards of most people in this room, the rooms in the Mirador are not much. But, consider the alternative. Those were palatial compared to sleeping outside in our warm Reno weather that we find at this time of the year—unseasonably.

Carol, the Welfare Department rambles through all these programs that are available, but, the fact of the matter is that there is not a lot of money for most of those programs. Is that true?

Ms. BOICE. That is true. That is the biggest problem that we are facing, the funding.

Senator REID. Merry Hoffard, who testified earlier—I think she said a lot when she said “We have programs authorizing funds.” I am sure everyone in this room understands, but let me explain, just in case there is one person that does not.

Members of Congress are great at saying, look what I voted for: a program to save the world. But, all it is is a program authorizing money to be spent, and nothing ever happens unless the Appropriations Committee in the House and the Senate appropriates the money for the program that was authorized.

So, what you were saying is, we have a lot of programs, and we can run through these programs that you went through for us. I think they were good. And you also talked about the programs that are—some of them are 100 percent federally funded?

Ms. BOICE. Yes; that is true.

Senator REID. For example, the Single Parent Program. That is federally funded 100 percent?

Ms. BOICE. Right.

Senator REID. The problem is, there is not much money there to start with, and it is spread out around the country.

Ms. BOICE. That is correct.

Senator REID. And so even though we have a good program in name, it is basically in name only.

Ms. BOICE. Yes.

Senator REID. Daycare in title XX and the JOBS Program—this is also a program where there is limited moneys. I want to emphasize a point that perhaps you could not because of your job. [Laughter.]

The point is, all these programs that look good on paper—there just is not enough money for them. Is that right?

Ms. BOICE. That is true. We are constantly faced with the frustration of limited resources to carry out our goals. We have a lot of proposals in front of every State legislature to increase funding, increase staffing, increase the resources to provide better services, and we work with what we get, basically.

Senator REID. And as a result of having limited moneys, you have to make very difficult choices. You simply cut off people who should be getting the benefit of these programs.

Ms. BOICE. I guess it is fair to say that the eligibility criteria could be structured around the funding sources available, to an extent. We go by Federal guidelines to a large extent in our programs, but there are some flexibilities within the State, as well, where what you say is true, Senator.

Senator REID. As we also know, whenever so-called do-gooders—and there are a lot of them in this room, perhaps me included—talk about spending money: It is more taxpayer's dollars. How can you do this?

But, you see, we save money by spending money. We literally save money by putting more money in these programs, because a problem that starts out—now, Jeanie, for example is here, and she has got her feet on the ground. But, there are many people who have tried to get a start—other Jeanies in the world that have wound up either part of the criminal justice system, back where they started from being beaten. There are additional welfare costs. The medical system that has to pick up all these costs. If we had a decent program to help them get themselves on their feet, we would save money in the long run.

Is there general agreement on the panel that that is the case? [Applause.]

I have no more questions of the panel. I want to express to you again how much I appreciate your being here. Hopefully, we can all become educated.

I did not realize until not long ago that women have unique problems, from the legislative sense. I have done some work in the medical field as it relates to women, not realizing until a year or so ago that there are diseases that effect only women that have been totally ignored by male-dominated legislatures over the past couple hundred years.

And domestic violence, I think, is another problem that we have as a result of having male-dominated legislatures. I think there would be a lot more done if there were men being beaten up rather than women.

I guess I will end this hearing by—I was giving a speech here in Reno, and I was talking about my three W's. I was talking about war, women, and water. [Laughter.]

And as I talked about women and giving some of these statistics about what a tremendous problem domestic violence is, I could see to the back of the room.

Men were 95 percent of the people at this service organization, and, as I was talking about some of these statistics that are telling, I could see a man to the back of the room going like this. He was trying to be funny. I am sure there was somebody seated next to him. But, I think that says about all of it.

A lot of what happens in the world is by brute force. We see it on television. We see it in the movies. And we see it in people's homes. This hearing is one of a number to bring information back to Washington.

Try to recognize that this is a national plague and a national problem that we have, and we have to do something about it.

CONCLUSION OF HEARINGS

Thank you very much, I appreciate very much everyone being here. The subcommittee will stand in recess subject to the call of the Chair.

[Whereupon, at 11:10 a.m., Friday, February 15, the hearings were concluded, and the subcommittee was recessed, to reconvene subject to the call of the Chair.]

Material Submitted Subsequent to Conclusion of Hearings

[CLERK'S NOTE.—Additional material was received by the subcommittee subsequent to conclusion of the hearings. The statements will be inserted in the record at this point.]

STATEMENT OF PATRICIA A. LYNCH, OFFICE OF THE CITY ATTORNEY, RENO, NV

Thank you for your interest in the issue of domestic violence and for again introducing legislation regarding this important matter. I have attached testimony from the prosecutor's point of view regarding this issue which I would like to submit for inclusion in the record.

As a prosecutor who first became aware of this problem through my job as a deputy City Attorney, I feel very strongly about the necessity for educating prosecutors regarding domestic violence and that a policy of not dismissing the charges is critical if these cases are going to be taken seriously.

I also feel strongly that victim advocates, such as the individual in my office who has the time to do the "hand-holding" and to prepare the victim for trial, should be available in prosecutors' offices to help with these difficult cases. From the three cases the advocate discusses, you can see that her contact made the difference in our office being able to obtain a conviction against each of the defendants.

Prosecutors and prosecutors' offices have a major role to play in the handling of domestic violence cases within the criminal justice system. The approach taken by a prosecutor will often determine whether or not the complainant/victim decides to cooperate with the prosecutor and whether the judges and/or law enforcement agency take these cases seriously.

In 1979 the policy in the Reno City Attorney's Office with regard to domestic violence cases was similar to the policy in many district attorney and city attorney offices across the country. If the victim decided he or she (more likely she) did not want to testify or pursue the case or she was being pressured by the defendant to drop the charges, the case was usually dismissed. More than likely, the victim would file another complaint against the defendant or call the police, and the parties would be back in the criminal justice system again. The victim would come in and ask for the charges to be dropped and the scenario would start all over again.

The City Attorney at the time, Louis Test, asked me to look into this frustrating cycle to see if anything could be done because we kept seeing the same people over and over again. I contacted the Committee to Aid Abused Women (CAAW) and indicated our interest in adopting a new approach to this problem. I learned that some prosecutors' offices, most notably in Minnesota and in Washington state, had adopted policies of not dropping the criminal charges and going forward with the case. The victim was viewed as a "witness" like a witness in any other case and did not make the decision whether the charges were dropped. The reasoning behind the policy was that domestic violence cases should be treated as criminal offenses and not treated as civil problems or private matters. While the battery may have arisen in the context of a domestic situation, it was nonetheless, a criminal offense and should be treated accordingly.

The Reno City Attorney's Office adopted a "no drop" policy and informed complainants that once they had signed a criminal complaint that the charges would not be dropped. The prosecutors found that when we told the victim that she was our witness and that the case was the City's case, i.e. City of Reno v. John Doe, because it was a criminal case which constituted a breach of the public peace and that we took these cases very seriously, many of the victims were grateful and told us that we were the first persons who told them that it was not their fault and that the defendant had no right to hit them.

It is a moving experience the first time you tell a woman with two black eyes that nothing she did justified those black eyes and she starts crying with gratitude because you are the first person who ever took her seriously and told her that. We

would also call in the defendant if he was not represented by counsel and inform him that the victim was our witness and that it was not her decision to drop charges but that it was our decision. We would go on to say that we took these cases seriously and that we did not drop charges. If the defendant wanted to seek some counseling or make some attempt to remedy the situation, that might make it easier on him when he appeared before the judge, but we were not going to drop the charges. Oftentimes, this was the first time anyone in authority who the defendant had to listen to had told him that his behavior was criminal and that he had no right to hit the victim. Obviously, not all of the victims were happy when they found out that they could not drop the charges, but it forced the victim to face the problem and if she was ready to leave or help the defendant seek help or counseling, it made it a lot easier for her.

When I was elected Reno City Attorney in 1987, I continued the "no drop" policy that I had helped develop and I put together a training session for all of my prosecutors to sensitize them to the issue of domestic violence. Very few of the prosecutors understood the battered woman syndrome and the cycle of violence and could not understand why on earth the victim would want to drop the charges and stay in an abusive situation. We had an individual from the Committee to Aid Abused Women as well as Scott Jordan who explained the temporary protection order process since our efforts overlap at times. Sue Mueschke from CAAW did an excellent job of explaining the battered women's syndrome and why a woman might stay in an abusive situation. I believe it is important for prosecutors to understand these issues so that they can be more responsive to the victims of domestic violence and also so that they do not get burned out or disheartened when they are not able to resolve a situation.

In 1989 I was able to hire Diane Loper who has a lot of experience in the domestic violence field to work in my office as a victim/witness advocate in the criminal division. Her job is modeled along the lines of the advocate programs in the Seattle City Attorney's Office and the San Francisco Family Violence Project. Diane essentially works with the victims and with the prosecutors in preparing the cases for trial. Diane contacts the victim as soon as possible after the arraignment if there has been a not guilty plea entered by the defendant. In our office we do not handle arraignments and only receive the cases that are going to trial. We effect personal service on the victims to insure that they are aware of the court date. Diane sends out subpoenas with her card attached and asks them to contact her. She initiates telephone calls if she has not heard from them. We have found that a victim is more likely to cooperate with our office if she has been contacted early on in the process.

The advocate focuses on the problems that the victim has with an eye toward helping the victim find the resources she needs to help her situation and also toward making the victim a credible witness for trial. If there is no defense attorney, the advocate will often talk to the defendant and try to direct him toward resources to help him. The advocate explains the court process to the victim which can often be intimidating to the average person and goes to court with victims in appropriate cases. The advocate is able to spend time with the victim to understand the overall situation in order to make a recommendation to the prosecutor and the court regarding the case. The Reno Municipal Court Judges have been receptive to her recommendations because they are aware of her function and realize that she is giving a recommendation based on what she thinks is best for the parties. The advocate also makes sure that the victim knows ahead of time that she has a right to speak at sentencing.

The advocate is able to direct the victim toward other resources in the community and has a good working relationship with the temporary protection order staff at the district courthouse and CAAW. The advocate can really make a difference in these cases as is attested to in the three cases she has briefly highlighted in her attached statement.

Obviously, not all cases go to trial as there are cases where we are unable to locate the victim or the victim absolutely refuses to cooperate and testify, and there is no statement to use to impeach her. Fortunately, because of the intervention by the advocate at an early stage in the proceedings, these cases make up a small percentage of our caseload. We have found that if the victim is willing to testify, she oftentimes will not have to because once the defendant realizes she is willing to go forward, he will plead to the charges.

I believe that while Nevada has excellent laws on the books regarding domestic violence, e.g., mandatory arrest, primary aggressor, 12 hour hold, if the prosecutor does not take these cases seriously and does not prosecute them, it sends a message to the law enforcement agency that these cases are not as important as other cases

and are not to be taken seriously. I think this is a terrible mistake because statistics show that domestic violence tends to escalate and the police are likely to end up dealing with a homicide case if they ignore the misdemeanor case. I believe it is important to make a record to show that abuse has occurred. Hopefully, we will be able to stop the cycle of violence before it escalates.

While we are a relatively small office, we prosecute the majority of domestic violence cases in Northern Nevada, averaging 40 cases a month. I would encourage you to explore funding for education for prosecutors to help them understand the cycle of violence and to provide for victim/advocates in prosecutors' offices to help them handle these difficult cases. I believe there are many fine programs across the country that you can look to and I would encourage you to contact the Seattle City Attorney's Office where the people were extremely helpful to us in setting up our program and also the San Francisco Family Violence Project. Thank you for your interest in this important issue and please do not hesitate to contact me if I can be of further assistance.

Thank you for your consideration of my testimony, and if I can be of any assistance to you on this important legislation, please do not hesitate to contact me.

STATEMENT OF MARJORIE A. PREUSS

Spousal abuse. It stays with you forever. For me, it happened nearly a half a century ago. Still, it remains as a lurking haunt. No, it's not a constant thought. But, at the most unexpected times, it rears its head to taunt. What was the reason for the one I loved to beat me into unconsciousness? Even now I ask myself. I will probably never know. The horror of it all came rushing back this past week as I read two items in the local newspaper. The first headlined—Civic Leader Faces Charge—detailing that he had been arrested at his residence, where he lived with his wife, who was injured, and that he had remained in jail for the required twelve hours. The second headlined—Civic Leader Won't Be Charged—stating that his wife maintained she had been involved in an accident and did not want to press charges against her husband.

How many times had I told the story that my bruised face was due to dental work; that I had bumped into the door; or, that I was so clumsy I tripped and fell? How many times did the bruises not show because they were located on less visible parts of the body? And, the untold story that a pregnancy never went to term because the babies were kicked out of my belly?

Of course, the first question is, why? Why did I tolerate this behavior? To this day I have no clear answer. It was so unexpected, so incomprehensible, that I had no frame of reference. And, a careful explanation was always provided to point out the necessity for the corrective action. Well do I remember the time I was near hysteria from the brutality of the attack. I was sobbing and pleading that the assault cease. It was carefully pointed out to me that due to my obvious deranged mental state, not only was the need for corrective action indicated, but it was likely that a pre-frontal lobotomy should be performed. I was terrified.

Perhaps the major reason the situation was tolerated was that reality seemed to have vanished. I found myself in a totally foreign world. I simply did not know what to do. And, at that time, there was little in the way of support for someone in my situation. My life, to that point, had been relatively common. My world had been quite usual. I had grown up thinking that one day I would fall in love, marry, and live happily ever after. If I displeased my husband, I would change. But, I found that I couldn't change enough. There was always another mistake that aroused his rage. You wonder why I stayed. I wonder too. I have no answer.

I am a survivor, however. I found the strength to break from the bondage and nothing could have forced me to return. Nothing! I got on with my life. Work, college, and with two graduate degrees, a career. And now, retirement. But, it never really leaves you.

Initially, I blocked the episode from my memory. If you questioned me, I could not remember, or would struggle to dredge up any portion of that part of my life. This blocking lasted for nearly five years. Well I recall when the memories began to reemerge. I was dating a new man, and, in the middle of a good time suddenly, some word, some gesture, would remind me, and a whole scene would come flooding back. It ruined the relationship. But it did indicate that I was now able to deal with the past since I could remember it.

This brought a new phase to my life—remembering. But, no matter how many support groups you attend, or how many psychological explanations you hear, it never really goes away. Someone you loved brutalized you. Intellectually, you know

it was through no fault of your own—no deficiency in you as an individual. Still, the reality is that your body was bruised, your bones were broken, your teeth were snapped off, and your babies were killed within your body.

Data indicate that, in this nation, every fifteen seconds a woman is beaten by her husband or boyfriend, and that nearly one-third of female homicides are committed by a husband or boyfriend. One theory is that these crimes are part of a social pattern—a pattern founded on a deepseated and widespread view that women's lives are worth less than men's lives. This theory harkens to the "Rule of Thumb" mentality of the nineteenth century when it was legal for a man to beat his wife so long as the stick with which he beat her was no thicker than his thumb.

Another theory proposes that the reason violent assaults against women have increased nearly fifty percent since 1974 is directly due to the feminist movement. In other words, they have been getting out of hand and must be put back into place; their freedom has threatened men. This suggestion bears examination. What is it about our social system that rears men to feel so inadequate that they are threatened by the act of granting humanity to one-half of the human race?

I am more inclined to believe that the incidence of violence has not so much increased as has the report of these assaults. I point to my immediate family and acquaintances—a sister, my best friend, a sister-in-law (by a former spouse). Not until I broached the subject did they feel free to discuss their own experiences. For too long spousal abuse has been hidden. It was expected.

It was expected that a good wife would support her husband, in all ways, at all times. If she did not, not only would society at large inflict punishment, so also would her husband. In addition, the law would tend to support him. Well do I remember the night I was being brutally beaten. My screams disturbed the neighbors, who called the police. Upon their arrival, and perusal of the situation, the police made the only move they saw fit—they put me in jail for the night for disturbing the peace. Not surprisingly, judges are still asking victims of domestic violence "what they did to provoke the violence".

But, to go back to being a good wife. I was. I did all the housework, and, I worked full time. My husband attended school. He had no other job. I entertained his family and friends. I told no one that he was brutalizing me, even when I decided upon suicide as a way out. He found me, and watched me for twelve hours, until he realized that I was not going to die. Then, he took me to the hospital. Even then I assumed the burden of psychosis rather than reveal his cruelty. Even then I was a good wife. But nothing changed.

I am heartened, however, by a recent event—the introduction of the "Violence Against Women Act of 1990" by Senator Joseph Biden. This bill and its companion bill introduced by Representative Barbara Boxer, extends, for the first time, civil rights to women. Senator Biden believes that "for too long, we have ignored the rights of women to be free of the fear of attacks". I agree with Senator Biden. While my life, since that long ago time, has been good, the reality is that I have had this done to me, and the question remains—what is wrong with me? Or, someone has done this to me and the question is—what is wrong with them? I have lived a life with no answer, and, I have searched long for an answer. All I know is that it never really goes away.

LETTER FROM VICTIM WITNESS ASSISTANT CENTER

The entire staff of the District Attorney's Office, Victim Witness Assistance Center, (most of whom attended your Senate Select Subcommittee Hearing held in Las Vegas on February 11, 1991) would like to thank you for holding hearings on this most serious problem.

We see the effects of domestic violence on a daily basis here at VWAC. We see the women who are beaten and time after time call or come into our office to find out how they can have the charges dismissed, since the abuser is nearly always the sole source of income for the victim and her children.

We sincerely hope that your hearings will bring about legislation and changes in the system so these people will have to be victims no longer.

If there is ever anything we can do to assist you in your efforts, please do not hesitate to call upon us. Again, thank you for your attention to this problem.

Sincerely,

Barbara J. Schell, Director; Rex Bell; Joanna Rash; Barbara Aupperle; Sue Lopez; Deana Greene, Victim Advocates; Jay Guest; Cathye Baladonado; Linda Nitz; and Patricia Giles.

STATEMENT OF KAY BENNETT, CARSON CITY ADVOCATES TO END DOMESTIC VIOLENCE

PURPOSE AND OBJECTIVES

Advocates to End Domestic Violence is a voluntary, Not-for-Profit agency founded in 1979 by two former battered women in Carson City, Nevada. 45 percent of our operational budget comes from the marriage license tax collected by the State of Nevada and distributed by the Division of Mental Hygiene and Mental Retardation. The State of Nevada placed a \$7 fee on marriage licenses that is distributed to each County according to population. Our agency offers a 24-hour crisis hotline, peer counseling, biweekly support groups, community outreach, legal services, program training and assistance in establishing programs in rural counties, economic and social resources, and a staffed 33 bed shelter which allows for an extended stay of up to five months with an additional thirty days when necessary.

PHILOSOPHY

The philosophy of Advocates to End Domestic Violence is to accept a woman as she is, and to gently encourage her growth in a positive direction toward independence. The women we serve are in crisis. The majority have poor self-images due to years of social and family pressures. Our goal is to provide a safe, supportive atmosphere in which women can re-examine their view of themselves. These rehabilitative services are provided in shelter and continue as long as necessary after the client has left the shelter. Self-affirmation is essential to a woman's view of herself, and our role is that of encouragement.

SHELTER

In 1979, Advocates to End Domestic Violence started with a two bedroom shelter. Since that time, we have expanded to a 4,800 square foot four-plex. The shelter has a full time manager, and can offer space for up to 33 women and children, but when necessary, accommodate 42 for a short period of time. The four plex is broken up into separate apartments reserved for women with children, and women without children. This provides a much less stressful environment for women who are not used to children. Each unit has two bedrooms, a fully-equipped kitchen, living room, bathroom, laundry facility, and play room. The shelter has a fully fenced back yard with patios and playground equipment for the children. It is designed to provide a comfortable home-like environment in which the women may begin to restore their lives and the lives of their children.

DIRECT SERVICES

Support Groups: Two support groups are held each week, one in the day, and the other in the evening. The facilitator are licensed mental health professionals. The two groups offer everyone the opportunity to receive the help they need. The groups encourage women to share their experiences with other women, whether in support groups or with their peer counselor. In either case, a woman takes a first step toward taking control over her own life. When that step is validated through another woman's account of her own experiences with battering, difficulties finding housing, or supporting herself and her children on a meager paycheck, she realizes that she has not been alone in her vulnerability. It helps her to realize that many of her experiences have been shared by other women. This begins to place responsibility for the crimes committed against her in their rightful place, which opens up a vision and hope that there might be another way of living.

LEGAL SERVICES

The Carson City Soroptomists has provided a grant for "Legal Aid for Abused Women" since 1986. This funds will supply over 30 women with divorces and legal aid this year alone. In order to receive this aid, the client must attend 12 support groups, four of which she must attend before she receives the paperwork that will assign her an attorney. The attorneys that deal with our agency do so on a reduced payment scale.

HELPING IN THE FUTURE

At this time Advocates to End Domestic Violence can only offer a women shelter, counseling, and legal aid. We need to do more for the victims of domestic violence. Over the next five years, Advocates wants to expand the services to include counsel-

ing for men and handling the anger they feel, counseling for couples that feel that their relationship can change, parenting classes for the women in and out of the shelter, and day care for the children who are residing at the shelter.

Advocates to End Domestic Violence— yearly statistics from 1986-90

1986:		
Bednights	1,569	
Women.....	62	
Children.....	49	
Total	111	
1987:		
Bednights	2,819	
Women.....	71	
Children.....	77	
Total	148	
1988:		
Bednights	2,364	
Women.....	74	
Children.....	67	
Total	141	
1989:		
Bednights	3,117	
Women.....	69	
Children.....	65	
Total	134	
1990:		
Bednights	4,284	
Women.....	82	
Children.....	94	
Total	176	

STATEMENT OF R.V. BRADSHAW, CHIEF OF POLICE, CITY OF RENO

Thank you for your invitation to attend your hearings on domestic violence held at the Lawlor Events Center on February 15, 1991. I found the panels informative and interesting. In listening to the presentation and your questions that followed, I had several observations that might be of use and am forwarding them to you by way of this letter.

It occurred to me during the presentations that we tend to use certain terms in regards to domestic violence interchangeably when, perhaps, we are talking about different but similar acts. The terms used at the hearings were: Domestic disturbance, domestic violence, spousal abuse, and child abuse. While everyone seems to interpret spousal and child abuse in the same way, confusion occurs with the terms domestic disturbance, domestic violence, and spousal abuse. From a law enforcement standpoint, domestic disturbance involves no physical abuse among the participants. While a domestic disturbance situation might very well include some mental abuse, that is much harder to define and charge. Also, domestic disturbances and domestic violence often include situations other than husband and wife. In fact, Nevada's state law talks about a number of relations outside the traditional husband and wife or "common law" male/female relationship. The statistics at your disposal on the number of occurrences of "domestic violence" included these other relationships. It seemed to me at the hearings that your primary concern was in the area of "spousal abuse," i.e., physical abuse and mental abuse between male and

females. It seems to me that these definition anomalies significantly contribute to the risk of confusion and unwitting misunderstandings.

In this regard, in preparation for your hearings we conducted a brief analysis of how we were applying the law as it exists in Nevada today. While we discovered some things in need of modification, our analysis led us to the conclusion that we were doing very well in arresting at the time of the occurrence, those individuals involved in "spousal abuse". Our incident/arrest ratio diminished significantly when we moved from the spousal abuse area into the broader area of domestic violence. The analysis also led us to conclude that there was good justification on the part of the officers for not making an on the scene arrest for the domestic violence cases not involving spousal abuse.

The second area of comment that I wanted to mention was in regards to your question to Undersheriff Coppa regarding a special response team to handle "domestic violence" cases. I agreed with Undersheriff Coppa's response to your questions but wanted to add that most law enforcement administrators are moving away from specialization in favor of the generalists approach. One good reason for this is that with specialization, one risks losing accountability for those not charged with the specific duties involved with that special assignment. For instance, answering domestic disturbance calls is typically not met with great enthusiasm by police personnel. While we provide officers the best training available, generally they would rather do other things than respond to these types of assignments. Creating a special group to handle these incidents is met with great enthusiasm by the generalists officer because now the resolution of the situation is "someone else is responsible." They tend to not keep current with the latest methods to handle these types of situations and generally do not take enough interest in the case to properly resolve the situation. The bottom line result is that if one uses a special unit as a first responder to domestic violence situation, a few cases are handled very well, but a lot of cases are not handled well at all. A system of mandatory follow-up by specially trained response teams might eliminate an overall degradation in service.

Thank you for allowing me to give you my thoughts. Hopefully, they will be of some assistance.

